



# City of Sunnyvale

## Notice and Agenda City Council

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Tuesday, September 12, 2017

5:00 PM

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

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**Special Meetings: Closed Session- 5 PM | Study Session- 5:30 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**

[17-0469](#)

Closed Session held pursuant to California Government Code  
Section 54957: PUBLIC EMPLOYEE APPOINTMENT  
Title: Interim City Manager

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

### **5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)**

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

#### **2 Roll Call**

#### **3 Public Comment**

#### **4 Study Session**

[17-0094](#)

Review and Provide Feedback on Preliminary Civic Center  
Master Plan Concepts

## **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**

[17-0483](#)

SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Board and Commission Members

### **PRESENTATION**

[17-0701](#)

PRESENTATION - California Stormwater Quality Association (CASQA) Award Presentation for Schools Goin' Green Program

### **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 [17-0792](#) Approve City Council Meeting Minutes of August 15, 2017

**Recommendation:** Approve the City Council Meeting Minutes of August 15, 2017 as submitted.

- 1.B [17-0794](#) Approve City Council Meeting Minutes of August 22, 2017

**Recommendation:** Approve the City Council Meeting Minutes of August 22, 2017 as submitted.

- 1.C [17-0625](#) Approve City Council Special Meeting Minutes of August 29, 2017

**Recommendation:** Approve the City Council Special Meeting Minutes of August 29, 2017 as submitted.

- 1.D [17-0846](#) Approve City Council Special Meeting Minutes of September 1, 2017

**Recommendation:** Approve the City Council Special Meeting Minutes of September 1, 2017 as submitted.

- 1.E [17-0184](#) 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 [17-0567](#) Award of Contract for Professional Design Services of the Administration and Laboratory Building at the Water Pollution Control Plant F17-095

**Recommendation:** 1) Award a contract in substantially the same form as Attachment 1 to the report in an amount not to exceed \$2,390,956 for Professional Design Services Associated with the construction of a new Administration and Laboratory Building at the Water Pollution Control Plant and authorize the City Manager to execute the contract when all necessary conditions have been met; and 2) approve a 10% contract contingency in the amount of \$239,096.

- 1.G**     [17-0749](#)     Approve Road Maintenance and Rehabilitation Projects for the Road Repair and Accountability Act of 2017 - Local Streets and Roads Funding Program and Approve Budget Modification No. 11

**Recommendation:** Approve Road Maintenance and Rehabilitation Proposed Projects List for the Road Repair and Accountability Act of 2017 - Local Streets and Roads Funding Program and Approve Budget Modification No. 11 in the amount of \$838,000.

- 1.H**     [17-0759](#)     First Amendment to Agreement Between City of Sunnyvale and Sunnyvale School District for the Operation of Columbia Neighborhood Center at the Columbia Middle School Site

**Recommendation:** Approve the First Amendment to Agreement Between City of Sunnyvale and Sunnyvale School District for the Operation of Columbia Neighborhood Center at the Columbia Middle School Site and authorize the City Manager to execute the First Amendment when all necessary conditions have been met.

- 1.I**     [17-0760](#)     Authorize the City Manager to Execute an Agreement with Santa Clara County for the Design and Construction of West Bound Auxiliary Lanes on Central Expressway between Commercial Avenue and Wolfe Road for an amount not to exceed \$1,148,461 and Approve Budget Modification No. 7

**Recommendation:** Authorize the City Manager to Execute an Agreement with the Santa Clara County for the Design and Construction of West Bound Auxiliary Lanes on Central Expressway between Commercial Avenue and Wolfe Road for an amount not to exceed \$1,148,461 and Approve Budget Modification No. 7 in the amount of \$1,148,461.

- 1.J**     [17-0860](#)     Approve Bay-Peninsula Regional Strategic Workforce Development Plan

**Recommendation:** Approve the Bay-Peninsula Regional Strategic Workforce Development Plan.

- 1.K**     [17-0787](#)     Approve City Position on Proposed League of California Cities' 2017 Annual Conference Resolutions

**Recommendation:** Approve a support position for the proposed Resolution #2, Local Control for Emergency Medical Response, while taking no position for the proposed Resolution #1, Implement Strategies to Reduce Negative Impacts of Recent Changes to Criminal Laws, and authorize the City's voting delegate/alternates to cast votes consistent with the City Council's adopted positions.

- 1.L [17-0797](#) Award of Bid No. PW17-36 for Orchard Heritage Park Re-Bid, Determination of Bid Non-responsiveness, Finding of California Environmental Quality Act (CEQA) Categorical Exemption, and Approval of Budget Modification No. 10 to provide \$815,631 in Additional Funding

**Recommendation:** 1) Make a finding of CEQA categorical exemption pursuant to CEQA Guidelines Section 15302(b) for replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity; 2) Award a contract in substantially the same form as Attachment 2 to the report and in the amount of \$1,351,328 to Redwood Engineering Construction 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 \$135,132; 4) Determine the Gonsalves & Stronck Construction Company, Inc. bid non-responsive; and 5) Approve Budget Modification No. 10 in the amount of \$815,631 to provide additional project funding.

- 1.M [17-0834](#) Approve the Second Amendment to Outside Counsel Agreement with Rankin Stock Heaberlin for Litigation Services in the case of Mollins vs. Sunnyvale

**Recommendation:** 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 Rankin Stock Heaberlin, to extend the term of the Agreement until June 30, 2018, and to increase the not-to-exceed amount by \$52,000, for a new not-to-exceed contract amount of \$142,000.

- 1.N [17-0848](#) Approve Contract with County of San Mateo for Disaster-Related Employment Services

**Recommendation:** Approve the award of a contract in an amount not to exceed \$284,000 to the County of San Mateo to provide services related to NOVA's disaster-related employment project through September 30, 2018 and authorize the City Manager to execute the contract when all necessary conditions have been met.

- 1.0 [17-0769](#) Reject Bids Received in Response to RFQ #F17-013 for Printed Community Activity Guides

**Recommendation:** Reject all bids received in response to RFQ #F17-013 for printed community Activity Guides.

### **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 [17-0821](#) Split Zoning: Introduce an Ordinance to Add Section 19.16.025 (Split-Zoned Parcels) of Chapter 19.16 (Precise Zoning Plans - Zoning Districts-Zoning Maps) to the Sunnyvale Municipal Code, and Find that the Action is Exempt from CEQA Pursuant to CEQA Guidelines Section 15061(b)(3)

**Recommendation:** Alternative 1: Introduce an Ordinance to Add Section 19.16.025 (Split-Zoned Parcels) of Chapter 19.16 (Precise Zoning Plans - Zoning Districts-Zoning Maps) to the Sunnyvale Municipal Code, and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15061(b)(3).

- 3 [17-0847](#) Single-Story Combining District Buffer Study: Introduce an Ordinance to Rezone a 50-foot wide area along the rear (eastern) property lines of 696 Sheraton Drive (APN 202-09-020), 1158 Hollenbeck Avenue (APN 202-09-019), and 1160 Hollenbeck Avenue (APN 202-09-018), and a 20-foot wide area along the side (southern) property line of 1160 Hollenbeck Avenue (APN 202-09-018) from Low Density Residential Zoning District (R-1) to Low Density Residential Zoning District/Single-Story Combining District (R-1/S), and

Find that the Action is Exempt from CEQA Pursuant to CEQA Guidelines Sections 15305 and 15061(b)(3)

**Recommendation:** Alternatives 1, 3 and 6: 1) Rezone 50 feet of the rear properties at 696 Sheraton Drive, 1158 Hollenbeck Avenue and 1160 Hollenbeck Avenue adjoining 675, 679, 683, and 682 Tiffany Court from Low Density Residential Zoning District (R-1) to Low Density Residential Zoning District/Single-Story Combining District (R-1/S); 3) Rezone 20 feet of the side property of 1160 Hollenbeck Avenue adjoining 689, 695, and 699 Torrington Drive from Low Density Residential Zoning District (R-1) to Low Density Residential Zoning District/Single-Story Combining District (R-1/S); and 6) Find that the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines 15305 and Section 15061(b)(3).

- 4      [17-0796](#)      Endorse the Slate of Candidates for the League of California Cities Peninsula Division 2017-2018 Election of Officers

**Recommendation:** Alternative 1: Endorse the slate of candidates for the Peninsula Division Executive Committee for 2017-2018:

- a. President: Emily Lo, Council Member, Saratoga
- b. Vice President: Larry Moody, Councilmember, East Palo Alto
- c. Treasurer: Shelly Masur, Councilmember, Redwood City
- d. Secretary: Charles Stone, Councilmember, Belmont
- e. Board Director (Two-Year Term): Liz Kniss, Councilmember, Palo Alto
- f. Legislative Action Committee Co-Chair, Santa Clara: Cory Wolbach, Councilmember, Palo Alto
- g. Legislative Action Committee Co-Chair, San Mateo: Kirsten Keith, Councilmember, Menlo Park
- h. Past President: Alicia Aguirre, Councilmember, Redwood City

At-Large - Vote for One Candidate for Each County:

- i. San Mateo County: Emily Beach, Councilmember, Burlingame
- j. Santa Clara County: Marico Sayoc, Councilmember, Los Gatos

- 5      [17-0871](#)      Amend the Salary Schedule to Adopt New Salary Range for the City Manager Classification

**Recommendation:** Alternative 1: Adopt a resolution amending the City's Salary Resolution by amending the Salary Schedule to increase the salary range for the City Manager classification.

- 6      [17-0872](#)      Amend the Salary Resolution to Revise Merit Increase Provisions, Add a Severance Provision and Amend the Salary Schedule to Adopt New Salary Ranges for Unclassified Department Directors (Pay Plan Category F)

**Recommendation:** Alternative 1: Adopt a resolution amending the Salary Resolution to revise merit increase provisions, add severance provisions, and amend the salary schedule for unclassified department directors (Pay Plan Category F).

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

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

-Council

-City Manager

#### **INFORMATION ONLY REPORTS/ITEMS**

- [17-0795](#)      Tentative Council Meeting Agenda Calendar
- [17-0714](#)      Information/Action Items
- [17-0783](#)      Washington Community Swim Center Update (Information Only)
- [17-0597](#)      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](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 35.160 (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" available on the City website at [sunnyvale.ca.gov](http://sunnyvale.ca.gov).*

#### **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 <https://sunnyvaleca.legistar.com> for upcoming Council, board and commission meeting information.*