



City of Sunnyvale

Notice and Agenda - Revised City Council

Tuesday, March 27, 2018

6:30 PM

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

Special Meeting: Closed Session- 6:30 PM | Regular Meeting- 7 PM

6:30 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

[18-0250](#)

Closed Session held pursuant to California Government Code
Section 54956.8: CONFERENCE WITH REAL PROPERTY
NEGOTIATORS

Property: APN 213-12-001 1142 Dahlia Court/1197 Lily
Avenue (commonly referred to as Corn Palace)

Agency negotiator: City Manager Kent Steffens; Director of
Community of Development Trudi Ryan; Director of Public
Works Chip Taylor; City Property Administrator Sherine Nafie
Negotiating parties: Gabriel Francia Trustee, or authorized
buyer (currently TrumarkHomes LLC)

Under negotiation: Price and terms of payment

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

CLOSED SESSION REPORT

SPECIAL ORDER OF THE DAY

- | | |
|--------------------------------|--|
| <u>18-0191</u> | SPECIAL ORDER OF THE DAY - Youth Arts Month |
| <u>18-0211</u> | SPECIAL ORDER OF THE DAY - National Library Week |
| <u>18-0262</u> | SPECIAL ORDER OF THE DAY - Recognition of LCC
Women's Caucus Women of Persistence Honoree |

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** [18-0239](#) Approve City Council Meeting Minutes of March 6, 2018

Recommendation: Approve the City Council Meeting Minutes of March 6, 2018 as submitted.

- 1.B** [17-1090](#) 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** [18-0144](#) Award of Bid No. PW18-18 for the Landfill Post-Closure Erosion Protection Project (PR 15/02-16), Waiver of Minor Bid Irregularity, Finding of California Environmental Quality Act (CEQA) Categorical Exemption, and Approval of Budget Modification No. 44

Recommendation: 1) Make a finding of a California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines Section 15301 (c) for existing facilities, 2) Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$561,696, 3) Approve a 10% construction contingency in the amount of \$56,170; 4) Waive a minor bid irregularity; and 5) Approve Budget Modification No. 44 in the amount of \$145,070 to provide additional project funding.

- 1.D** [18-0148](#) Authorize the Issuance of a Purchase Order for Asphaltic Materials and Pavement Reinforcement Fabric (F18-171)

Recommendation: 1) Authorize the City Manager to issue a purchase order, excluding sales tax, to Reed & Graham Company in an amount of \$1,304,850, in substantially the same form as the Attachment 2 to the report; and 2) Delegate authority to the City Manager to renew the Purchase Order for two additional one-year periods, subject to available funding and acceptable pricing and services.

- 1.E** [18-0171](#) Award of Bid No. PW18-05 for the 2017 Sanitary Sewer Main Replacement Project (UY-13/04-16) and Finding of California Environmental Quality Act (CEQA) Categorical Exemption

Recommendation: 1) Making a finding of a categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302(c) for the replacement or reconstruction of existing utility system; 2) award a contract in substantially the same form as Attachment 2 to the report in the amount of \$756,325 to California Trenchless, Inc. of Hayward and authorize the City Manager to execute the contract when all necessary conditions have been met; and 3) approve a 10% construction contingency in the amount of \$75,633.

- 1.F [18-0172](#) Approve the Downtown Sunnyvale Business Improvement District (BID) Annual Report for Fiscal Year 2017/18; and Adopt Resolution of Intention to Levy and Collect an Annual Assessment and Reauthorize the BID for Fiscal Year 2018/19

Recommendation: Alternative 1: Approve the Fiscal Year 2017/2018 BID Annual Report, adopt the Resolution of Intention to Levy and Collect an Assessment and Reauthorize the Business Improvement District for Fiscal Year 2018/2019, and schedule the public hearing for April 24, 2018.

- 1.G [18-0207](#) Approve the Fourth Amendment to an Agreement between City of Sunnyvale and Sunnyvale Historical Society and Museum Association Pertaining to the Costs for Water, Wastewater, and Garbage Utilities

Recommendation: Alternative 1: Approve the Fourth Amendment to Agreement between City of Sunnyvale and Sunnyvale Historical Society and Museum Association Pertaining to the costs for Water, Wastewater, and Garbage Utilities.

- 1.H [18-0235](#) Appoint Mr. Micah Merrick to the NOVA Workforce Board

Recommendation: Appoint Mr. Micah Merrick to the NOVA Workforce Board.

- 1.I [18-0245](#) Award of Bid No. PW18-20 for the Slurry Seal 2018 B (ST-18-03) and Finding of California Environmental Quality Act (CEQA) Categorical Exemption

Recommendation: 1) Making a finding of a categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (c) for rehabilitation of existing streets; 2) Award a contract in substantially the same form as Attachment No. 3 to the report in the amount of \$582,236 to Graham Contractors, Inc. and authorize the City Manager to execute the contract when all necessary conditions have been met; and 3) approve a 10% construction contingency in the amount of \$58,224.

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 [18-0050](#) Introduce an Ordinance Designating Lori Avenue and Shirley Avenue as Preferential Parking Zones and Finding of Exemption from the California Environmental Quality Act

Recommendation: Alternative 1: Make the findings required by Sunnyvale Municipal Code Section 10.26.030, make a finding of exemption from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061 (b)(3), and introduce an ordinance designating Lori Avenue and Shirley Avenue as a Preferential Parking Zone.

- 3 [18-0248](#) Consider Friends of Stevens Creek Trail Funding Request to Support the Local Match for a Grant Application to the Santa Clara Valley Water District to Remove a Fish Barrier on Stevens Creek; and Approve Budget Modification No. 45 to Appropriate up to \$9,900

Recommendation: Staff makes no recommendation.

- 4 [18-0139](#) Approve Study Issue Presentation Dates for Studies Recommended for Study in 2018

Recommendation: Alternative 1: Approve the Proposed Presentation Dates for 2018 Council-ranked Study Issues as noted in Attachment 1 to the report.

- 5 [18-0166](#) Appoint an Applicant to the Arts Commission and to the Sustainability Commission

Recommendation: Staff makes no recommendation.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- | | |
|-------------------------|---|
| 18-0240 | Tentative Council Meeting Agenda Calendar |
| 18-0059 | Information/Action Items |
| 18-0138 | Annual Review of New Laws (Information Only) |
| 18-0232 | Civic Center Modernization Project Update -Library Phase Cost Estimate (Information Only) |
| 18-0034 | Study Session Summary of February 27, 2018 - Minimum Wage Update |
| 18-0209 | Study Session Summary of February 27, 2018 - Wage Theft (Study Issue) |
| 18-0241 | 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" available on the City website at 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.