



# City of Sunnyvale

## Notice and Agenda City Council

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Tuesday, August 28, 2018

7:00 PM

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

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### **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**

### **ORAL COMMUNICATIONS**

*This category provides an opportunity for members of the public to address the City 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 the Council 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 [18-0501](#) Approve City Council Meeting Minutes of August 14, 2018

**Recommendation:** Approve the City Council Meeting Minutes of August 14, 2018 as submitted.

- 1.B [17-1118](#) 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 [18-0643](#) Approve Complete Streets Policy Amendment by Resolution to Comply with Santa Clara Valley Transportation Authority (VTA) Requirement for 2016 Measure B Funds

**Recommendation:** Adopt the Resolution to Amend the Complete Streets Policy to comply with the Santa Clara Valley Transportation Authority (VTA) Requirement for 2016 Measure B Funds.

- 1.D [18-0663](#) Authorize an Amendment to an Existing Purchase Order for Tank Coating Inspection (F19-010)

**Recommendation:** Authorize the City Manager to amend the existing purchase order with West Coast Coating Consultants LLC for tank coating services increasing the not-to-exceed amount by \$65,000, for a new not-to-exceed total of \$145,000.

- 1.E [18-0674](#) Approve a Third Amendment to a Contract with Kimley-Horn Associates, Inc. for Temporary Personnel Services (F19-015) and Authorize the City Manager to Renew the Contract for up to Two Additional One-Year Periods

**Recommendation:** 1) Authorize the City Manager to execute a Third Amendment to the contract with Kimley-Horn and Associates, Inc., in substantially the same form as Attachment 1 to the report, increasing the not-to-exceed contract amount from \$245,000 to \$395,000, for Temporary Personnel Services and professional engineering services, when all necessary conditions have been met, and 2) delegate authority to City Manager to renew the agreement for up to two (2) one-year periods, subject to budgeted funding and acceptable pricing and service.

- 1.F [18-0684](#) Reject the Sole Bid Received for Sewer Siphon Cleaning and Inspection 2018 (F18-295)

**Recommendation:** Reject the sole bid received from Pipe and Plant Solutions, Inc. in response to Invitation for Bids No. F18-295 for Sewer Siphon Cleaning and Inspection 2018.

- 1.G    [18-0694](#)    Authorize an Amendment to an Existing Purchase Order for Fire Protection Clothing, Equipment and Fire Safety Supplies (F17-007)

**Recommendation:** Authorize the City Manager to amend the existing purchase order with L.N. Curtis & Sons, in substantially the same format as Attachment 1, increasing the not-to-exceed amount by \$87,000, for a new not-to-exceed total of \$262,000 and Find the Action categorically exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378 (a).

- 1.H    [18-0699](#)    Endorse the Slate of Candidates for the League of California Cities Peninsula Division 2018-2019 Election of Officers

**Recommendation:** Endorse the slate of candidates for the Peninsula Division Executive Committee for 2018-19:

- a. President: Larry Moody, Councilmember, East Palo Alto
- b. Vice President: Cory Wolbach, Councilmember, Palo Alto
- c. Treasurer: Shelly Masur, Councilmember, Redwood City
- d. Secretary: Marico Sayoc, Councilmember, Los Gatos
- e. San Mateo County Representative: Emily Beach, Councilmember, Burlingame
- f. Santa Clara County Representative: Charles "Chappie" Jones, Councilmember, San Jose
- g. Legislative Action Committee, Santa Clara: Nancy Smith, Councilmember, Sunnyvale
- h. Legislative Action Committee, San Mateo: Charles Stone, Councilmember, Belmont
- i. Board Director: Alicia Aguirre, Councilmember, Redwood City
- j. Past President: Emily Lo, Councilmember, Saratoga

- 1.I    [18-0706](#)    Designate a Voting Delegate and Alternate for the League of California Cities Annual Conference

**Recommendation:** Approve the Mayor's nomination of Councilmember Nancy Smith as Voting Delegate and City Manager Kent Steffens as Alternate.

**PUBLIC HEARINGS/GENERAL BUSINESS**

*If you wish to speak to a public hearing/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      [18-0742](#)      Award a Contract to CherryRoad Technologies, Inc. for an Oracle Cloud Enterprise Resource Planning System and Implementation Services (F17-157)

**Recommendation:** Staff recommends Alternative 1: Award a contract in the amount of \$12,072,676 to CherryRoad Technologies, Inc. of Morris Plains, NJ for the implementation and cloud licensing of an Oracle Enterprise Resource Planning solution, in substantially the same form as Attachment 2 to the report and authorize the City Manager to execute the contract when all necessary conditions have been met. Approval is also requested for 10% contract contingency in an amount of \$534,500.

- 3      [18-0696](#)      Approval of Budget Modification No. 4 in the Amount of \$55,000 for the North County Gun Buyback Program

**Recommendation:** Alternative 1: Approve Budget Modification No. 4 in the Amount of \$55,000 and Appropriate \$30,000 from the Budget Stabilization Fund for the North County Gun Buyback Program.

- 4      [18-0667](#)      Authorize the City Manager to Execute the Second Amendment to the Agreement Between the City of Sunnyvale and the VTA for the SR 237/US 101/Mathilda Avenue Interchange Improvement Project to Extend the Term Until December 31, 2020, Increasing the Not to Exceed Amount of the City's Financial Contribution From \$8,000,000 to \$25,000,000 and Other Minor Amendments and Approve Budget Modification No. 5

**Recommendation:** Alternative 1: Authorize the City Manager to Execute the Second Amendment to the Agreement Between the City of Sunnyvale and the VTA for the SR237/US 101/Mathilda Avenue Interchange Improvement Project to extend the term until December 31, 2020, increasing the not to exceed amount of the City's financial contribution from \$8,000,000 to \$25,000,000 and other minor amendments and Approve Budget Modification No. 5 in the amount of \$18,261,507.

- 5      [18-0679](#)      Proposed Project:      Introduce an Ordinance to Rezone two lots from R-1 (Low Density Residential) to R-0 (Low Density Residential).  
File #: 2018-7309  
Location: 932 Eleanor Way and 1358 Hampton Drive (APNs: 313-01-033, 313-01-034)  
Zoning: R-1  
Applicant / Owner: Cyrus Fakhari (applicant and owner)  
Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).  
Project Planner: Shétal Divatia, (408) 730-7637, sdivatia@sunnyvale.ca.gov

**Recommendation:** Alternative 2: Determine the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) and do not make the Findings (Attachment 9) to approve the rezoning and do not introduce an ordinance to rezone the two parcels from R-1 (Low Density Residential) to R-0 (Low Density Residential) as requested by the applicant.

- 6      [18-0703](#)      Approve the Purchase and Sale Agreement Between the City of Sunnyvale and Youland Smarthome LLC for the Sale of 1484 Kifer Road; Formerly, the Unilever Margarine Plant

**Recommendation:** Alternative 1: Authorize the City Manager to execute the Purchase and Sale Agreement, in substantially the same form as Attachment 1 of the report, between the City of Sunnyvale and Youland Smarthome LLC for the sale of 1484 Kifer Road (Unilever Property).

**COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS****NON-AGENDA ITEMS & COMMENTS**

-Council

-City Manager

**INFORMATION ONLY REPORTS/ITEMS**

[18-0713](#) Tentative Council Meeting Agenda Calendar

[18-0714](#) Information/Action Items

**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.*