



City of Sunnyvale

Notice and Agenda City Council

Tuesday, November 13, 2018

5:30 PM

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

Special Meeting: Study Session - 5:30 P.M. | Regular Meeting - 7 P.M.

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

[18-0509](#)

SPECIAL COUNCIL MEETING (Study Session)
Joint Meeting of City Council with Board and Commission
Chairs and Vice Chairs to Review and Improve Overall
Effectiveness of Commission Meetings

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

SPECIAL ORDER OF THE DAY**PRESENTATION**

- [18-0920](#) 2018 MISAC (Municipal Information Systems of California) Awards
- [18-0865](#) Update on Caltrain Electrification Project (Caltrain)

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 [18-0854](#) Approve City Council Meeting Minutes of October 16, 2018

Recommendation: Approve the City Council Meeting Minutes of October 16, 2018, as submitted.

- 1.B [18-0924](#) Approve City Council Meeting Minutes of October 30, 2018

Recommendation: Approve the City Council Meeting Minutes of October 30, 2018, as submitted.

- 1.C [17-1138](#) 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.D [18-0595](#) Adopt a Resolution Amending the City of Sunnyvale Local

Conflict of Interest Code

Recommendation: Adopt a Resolution amending the City of Sunnyvale Local Conflict of Interest Code.

- 1.E [18-0629](#) Authorize Issuance of a Purchase Order for Mobile Data Terminals for the Department of Public Safety and Environmental Services Department (F18-293)

Recommendation: Authorize the issuance of a Purchase Order to DuraTech USA, Inc. of Westminster, CA in the amount of \$266,858.86 (including electronic waste fees) excluding sales tax, in substantially the same form as Attachment 2 to the report.

- 1.F [18-0672](#) Authorize an Amendment to an Existing Purchase Order for Library Printed Materials (F14-11)

Recommendation: Authorize the City Manager to amend the existing purchase order with Ingram Library Services, Inc., in substantially the same format as Attachment 1, extending the expiration date to June 30, 2019.

- 1.G [18-0729](#) Award of a Three-year Contract for Third Party Worker's Compensation Claim Administration Services (F18-289)

Recommendation: 1) Award a three-year contract in substantially the same form as Attachment 1 to the report in the amount not to exceed \$1,313,023 to Keenan & Associates to provide workers' compensation claims administration services and authorize the City Manager to execute the contract when all necessary conditions have been met, 2) Authorize the City Manager to amend the contract for the performance management bonus, and 3) delegate the authority to the City Manager to renew the contract for two additional one-year periods, if services and pricing remain acceptable to the City.

- 1.H [18-0805](#) Authorize the Issuance of a Purchase Order for Four (4) Fire Pumper Apparatuses (F19-021)

Recommendation: 1) Authorize the issuance of a purchase order to Golden State Fire Apparatus in the amount of \$2,270,742, in substantially the same form as Attachment 1 to the report; and 2) approve a 1% contingency in the amount of \$22,707.

- 1.I [18-0839](#) Award of a Three-year Contract for Information Technology

Service Management and Project Portfolio Management
Solution (F18-195)

Recommendation: 1) Award a three-year contract in substantially the same form as Attachment 1 to the report in the amount not to exceed \$211,424 to TeamDynamix for ITSM and PPM solution and authorize the City Manager to execute the contract when all necessary conditions have been met; 2) approve a 10% contract contingency in the amount of \$21,142; and 3) delegate authority to the City Manager to renew the contract for an additional four (4) one-year periods, not-to-exceed budgeted amounts, provided pricing and service remain acceptable to the City.

- 1.J [18-0911](#) Receive and File the City of Sunnyvale Investment Report - 3rd Quarter 2018

Recommendation: Receive and file the City of Sunnyvale - Third Quarter 2018 Investment Report.

- 1.K [18-0931](#) Appoint Ms. Stacey Porter to the NOVA Workforce Board

Recommendation: Appoint Ms. Stacey Porter to the NOVA Workforce Board.

- 1.L [18-0979](#) Adopt Ordinance No. 3138-18 amending various sections of Chapter 5.36 (Taxicabs) of Title 5 (Business Licenses and Regulations) of the Sunnyvale Municipal Code to comply with new provisions in California State Law

Recommendation: Adopt Ordinance No. 3138-18.

- 1.M [18-0980](#) Adopt Ordinance No. 3139-18 amending section 5.04.110 (License Tax - Imposed) of Chapter 5.04 (Business License Tax) of Title 5 (Business Licenses and Regulations) of the Sunnyvale Municipal Code

Recommendation: Adopt Ordinance No. 3139-18.

- 1.N [18-0981](#) Approve the First Amendment to Outside Counsel Agreement with Nielsen, Merksamer, Parrinello, Gross & Leoni for Legal Services

Recommendation: Authorize the City Attorney to execute a First Amendment, in substantially the same form as Attachment 1 to the report, to the Outside Counsel Agreement with Nielsen, Merksamer, Parrinello, Gross & Leoni for Legal Services related to California Voting Rights Act and to participate in the community engagement activities to increase the amount by \$250,000 for a new not-to-exceed amount of \$350,000.

- 1.0 [18-0985](#) Approve a First Amendment to the Agreement Between the Magical Bridge Foundation and the City of Sunnyvale for an All-Inclusive Playground and Budget Modification No. 8

Recommendation: Approve a First Amendment to the Agreement Between the Magical Bridge Foundation and the City of Sunnyvale for an All-Inclusive Playground increasing the City contribution to \$1,960,000 for the Project and authorize the City Manager to execute the Agreement and Budget Modification No. 8 in the amount of \$160,000.

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. [18-0550](#) Consider Approval of Disposition and Development Agreement Between the City of Sunnyvale and Related Companies of California, LLC, Providing for Financial Assistance in The Amount of \$12.5 Million in Housing Mitigation and Low and Moderate Income Housing Asset Funds (LMIHAF) To Construct an Affordable Housing Development on Iowa Avenue Between Mathilda Avenue and Charles Street (Block 15)

Recommendation: Alternative 1: Approve the draft Disposition and Development Agreement and associated appendices with The Related Companies of California, LLC or its authorized assignee for the establishment of the affordable housing development on Block 15; and authorize the City Manager to execute the Agreement in substantially the same form as Attachment 1 to the report, and as approved by the City Attorney.

3. [18-0991](#)

REQUEST FOR AN INDEFINITE CONTINUANCE

Proposed Project: General Plan Amendment Initiation request to study changing the General Plan designation for a portion of the site from Public Facility (P-F) to Medium Density Residential.

Location: 1050 West Remington Drive (APN: 202-26-007)

File #: 2018-7569

Zoning: P-F

Applicant / Owner: Catalyst Development Partners LLC (applicant) / Church of Christ of Sunnyvale (owner)

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(a).

Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

Recommendation: Alternative 1: Continue the public hearing to a date uncertain.

4. [18-0940](#)

Proposed Project: General Plan Amendment (GPA) Initiation to consider an amendment to the Peery Park Specific Plan (PPSP) to increase the office/industrial development capacity and allow housing on the 10 parcels in the PPSP-Industrial Edge (IE) zoning district totaling 29.3 acres.

Locations: 400-840 W. California Avenue (165-26-009, 010, 011, 012, 013, 014, 016, 018, 019, 020)

File #: 2018-7576

Applicant / Owner: Skidmore, Owings, & Merrill LLP (applicant) / Steelwave LLC (owner)

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 (a).

Project Planner: Amber Blizinski, 408-730-2723, ablizinski@sunnyvale.ca.gov

Recommendation: Alternative 1: Do not initiate a General Plan Amendment study to consider an amendment to the Peery Park Specific Plan to increase the office/industrial development capacity and allow housing on the 10 parcels in the PPSP-IE zoning district totaling 29.3 acres.

5. [18-0798](#) Public Hearing and Adopt a Resolution Ordering the Vacation of a Portion of Carl Road Westerly of Borregas Avenue

Recommendation: Alternative 1: Make the finding that the action is from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15061 (b) (3) and adopt the Resolution Ordering the Vacation of a Portion of Carl Road Westerly of Borregas Avenue; and authorize the City Clerk to record a certified copy of the Resolution to the Santa Clara County Recorder's office (Attachment 1 to the report) once the Caribbean Drive Parking and Trail Access Enhancements project is complete.

6. [18-0905](#) Appoint Applicant to the Personnel Board

Recommendation: Staff makes no recommendation.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

[18-0118](#) Overview of the Consultant's Report for the Department of Public Safety: Comprehensive Community Risk Assessment, Standards of Cover Study, and Station Location and Deployment Study (Information Only)

[18-0934](#) Informational Report to Council on Department of Public Safety's Implementation of small Unmanned Aircraft System Program

[18-0848](#) Study Session Summary of September 25, 2018 - Clean Water

Program Rebuild Costs

[18-0969](#) Summary of October 30, 2018 Study Session - Overview of the Consultant's Report for the Department of Public Safety: Comprehensive Community Risk Assessment, Standards of Cover Study, and Station Location and Deployment Study (Information Only)

[18-0942](#) Information/Action Items

[18-0943](#) Board/Commission Meeting Minutes

[18-0941](#) Tentative Council Meeting Agenda Calendar

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.