



City of Sunnyvale

Notice and Agenda City Council

Tuesday, May 7, 2019

5:00 PM

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

Special Meeting: Closed Session - 5 PM | Special Meeting - 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

[19-0272](#)

Closed Session held pursuant to California Government Code Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Tina Murphy, Director of Human Resources; Kent Steffens, City Manager

Employee organization: Sunnyvale Managers Association (SMA) and Sunnyvale Employees Association (SEA)

5 Adjourn Special Meeting

6 P.M. SPECIAL COUNCIL MEETING

1 Call to Order in the Council Chambers

2 Roll Call

3 Public Comment**4 Special Orders of the Day**

[19-0198](#) SPECIAL ORDER OF THE DAY - 2019 Earth Day Video and
Poster Contest Winners
Location: Council Chambers

[19-0199](#) SPECIAL ORDER OF THE DAY - Recognition of Green
Businesses

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**

[19-0525](#) SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office
for Board and Commission Members

[19-0312](#) SPECIAL ORDER OF THE DAY - Teen Awareness Month

[19-0313](#) SPECIAL ORDER OF THE DAY - Older Americans Month

[19-0472](#) SPECIAL ORDER OF THE DAY - Affordable Housing Week

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 [19-0492](#) Approve City Council Meeting Minutes of April 23, 2019

Recommendation: Approve the City Council Meeting Minutes of April 23, 2019 as submitted.

1.B [19-0330](#) 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** [19-0196](#) Authorize the Issuance of Purchase Orders to Canon Financial Services, Inc. and Canon Solutions of America, Inc. for the Lease and Maintenance of Multifunction Devices (MFDs) (F19-045)

Recommendation: Take the following actions:

- Authorize the issuance of a three-year blanket purchase order to Canon Financial Services, Inc. for the lease of MFDs in an amount not to exceed \$300,367, in substantially the same form as Attachment 2 to the report and in accordance with the State of California Participating Addendum to the NASPO contract;
- Authorize the issuance of a three-year purchase order to Canon Solutions of America, Inc. for the maintenance of MFDs in an amount not to exceed \$138,829, and authorize the City Manager to renew the purchase order for two additional one-year terms provided that price and service is acceptable, in substantially the same form as Attachment 3 to the report and in accordance with the State of California Participating Addendum to the NASPO contract.

- 1.D** [19-0370](#) Award of a Maintenance and Repair Contract to CEN-PAC Engineering, Inc. for the Removal and Installation of Light Emitting Diode Traffic Signal Modules (F19-119) and Finding of California Environmental Quality Act (CEQA) Categorical Exemption

Recommendation: Take the following actions:

- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$121,570 to CEN-PAC Engineering, Inc.,
- Authorize the City Manager to execute the contract when all necessary conditions have been met,
- Make a finding of a CEQA categorical exemption pursuant to CEQA Guidelines Section 15301 for the repair, maintenance or minor alteration of existing public or private structures, facilities or mechanical equipment involving negligible or no expansion of use beyond that which presently exists,
- Approve a 10% contract contingency in the amount of \$12,157.

- 1.E [19-0436](#) Award of Contract to Advance Design Consultants, Inc. for Public Safety Facility Emergency Generator Replacement (F19-111)

Recommendation: Take the following actions:

- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$251,880 to Advance Design Consultants, Inc.,
- Authorize the City Manager to execute the contract when all necessary conditions have been met, and
- Approve of a 10% contingency in the amount of \$25,200.

- 1.F [19-0526](#) Adopt Ordinance No. 3145-19 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone certain property located at 1 AMD Place (APN Numbers 205-22-024 and 205-22-025) and 975 Stewart Drive (APN 205-22-028) from MS Industrial-to-Residential R3 (MS/ITR-R3) and MS Industrial-to-Residential R4 (MS/ITR-R4) to Medium Density Residential/ Planned Development (R-3/PD), High Density Residential/Planned Development (R-4/PD), and Public Facilities (PF)

Recommendation: Adopt Ordinance No. 3145-19.

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 [19-0220](#) Public Hearing to Adopt a Resolution Confirming the Annual Report to Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District (BID) for Fiscal Year 2019/2020

Recommendation: Alternative 1: Adopt the Resolution to Confirm the Annual Report and Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District for Fiscal Year 2019/2020.

- 3 [19-0454](#) Approve Changes to Council Policy 1.1.10 to Update Use Regulations Regarding Storing Outdoor Dining Furniture on Sidewalks on the 100 Block of South Murphy Avenue (Study Issue OCM 17-01) and Finding of Exemption from the California Environmental Quality Act

Recommendation: Alternatives 1 and 4: 1. Approve the proposed changes to Council Policy 1.1.10 Use of the Public Sidewalk on the 100 Block of South Murphy Avenue (Attachment 3) and as described in Option 2 in Attachment 1 of the report and direct staff to return in one year for reconsideration of the policy; and, 4. Make the finding that the action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a).

- 4 [19-0510](#) Approve Draft 2019 Housing and Urban Development (HUD) Action Plan

Recommendation: Alternative 1: Approve the 2019 Action Plan as shown in Attachment 2 of the report.

- 5 [19-0437](#) Green Building Program Update: Adopt a Resolution to Update the Green Building Program for Residential Projects, Nonresidential Projects, and Public Facilities, and Find that the Action is Exempt from CEQA Pursuant to CEQA Guidelines Sections 15308, 15061(b)(3), and 15378(b).

Recommendation: Staff recommends Alternative 1: Adopt a Resolution (Attachment 2 to the report) to Update the Green Building Program for Residential Projects, Nonresidential Projects, and Public Facilities and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Sections 15308, 15061(b)(3), and 15378(b).

- 6 [19-0463](#) Discussion and Possible Action to Modify or Confirm the Structure and Function of the Council Subcommittee to Discuss Items of Mutual Interest with Local School Districts (2x2 Subcommittee)

Recommendation: Staff makes no recommendation.

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

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

[19-0467](#) Tentative Council Meeting Agenda Calendar

[19-0468](#) 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 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 at Sunnyvale.ca.gov/PublicComments

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.