



# City of Sunnyvale

## Notice and Agenda City Council

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Tuesday, July 16, 2019

7:00 PM

Council Chambers, City Hall  
456 W. Olive Ave., Sunnyvale, CA 94086

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### Regular Meeting - 7 PM

#### **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**

[19-0754](#) SPECIAL ORDER OF THE DAY - Certificate of Recognition to Solid Waste Programs Division Manager Upon His Retirement

[19-0315](#) SPECIAL ORDER OF THE DAY - Parks and Recreation Month

#### **PRESENTATION**

#### **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 [19-0469](#) Approve City Council Meeting Minutes of June 25, 2019

**Recommendation:** Approve the City Council Meeting Minutes of June 25, 2019 as submitted.

1.B [19-0753](#) Approve City Council Meeting Minutes of July 8, 2019

**Recommendation:** Approve the City Council Meeting Minutes of July 8, 2019 as submitted.

1.C [19-0476](#) 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 [19-0553](#) Approve the First Amendment to Service Agreement with InfoSend, Inc. for Utility Billing Notification Services

**Recommendation:** Take the following action:  
- Authorize the City Manager to execute the First Amendment to the Service Agreement with InfoSend, Inc., in substantially the same form as Attachment 1 of the report, for utility bill notification services to increase the not-to-exceed amount by \$88,445 for a new not-to-exceed amount of \$338,445.

1.E [19-0641](#) Reject the Sole Bid Received for PW19-16 for Performing Arts Infrastructure-Orchestra Pit Cover Renovation, Award of Bid No. PW19-25 to Tochi for Performing Arts Infrastructure-Orchestra Pit Cover Renovation Re-Bid, and make a Finding of California Environmental Quality Act (CEQA) Categorical Exemption

**Recommendation:** Take the following actions:

- Reject the sole bid received in response to Invitation for Bids PW19-16 for Performing Arts Infrastructure-Orchestra Pit Cover Renovation
- Make a finding of categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302(c) for replacement or reconstruction of existing utility systems and/or facilities
- Award a contract in substantially the same form as Attachment 3 to the report in the amount of \$188,800 to Tochi of San Jose for the Performing Arts Infrastructure-Orchestra Pit Cover Renovation Re-Bid
- Authorize the City Manager to execute the contract when all necessary conditions have been met
- Approve a 10% construction contingency in the amount of \$18,880

**1.F** [19-0656](#)

Award of Contract to Citilabs, Inc. for Consultant Services Associated with Travel Demand Model Update 2018 (F19-044) and Approval of Budget Modification No. 2

**Recommendation:** Take the following actions:

- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$230,596 to Citilabs, Inc.
- Authorize the City Manager to execute the contract when all necessary conditions have been met
- Approve a contingency in the amount of \$23,060
- Approve Budget Modification No. 2 in the amount of \$47,529

**1.H** [19-0559](#)

Award of Contract to Ascent Environmental, Inc. for Updates to the Air Quality and Noise Elements of the Sunnyvale General Plan (F18-309)

**Recommendation:** Take the following actions:

- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$113,485 to Ascent Environmental, Inc.
- Authorize the City Manager to execute the contract when all necessary conditions have been met
- Approve a 10% contingency in the amount of \$11,349

- 1.G [19-0608](#) Award of Contract to BAE Urban Economics, Inc. for Economic Development Strategic Plan Preparation and Approval of Budget Modification No. 1 in the amount of \$12,728 (F19-088)

**Recommendation:** Take the following actions:

- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$102,480 to BAE Urban Economics, Inc.
- Authorize the City Manager to execute the contract when all necessary conditions have been met
- Approve a 10% contingency in the amount of \$10,248
- Approve Budget Modification No. 1 to appropriate \$12,728 to provide project funding

- 1.I [19-0719](#) Approve a Second Amendment to Consultant Services Agreement with CDM Smith to Support the Application and Administration of a Water Infrastructure Financing and Innovation Act (WIFIA) Loan and Approve Budget Modification No. 3 in the amount of \$847,007

**Recommendation:** Take the following actions:

- Approve the Second Amendment to Consultant Services Agreement with CDM Smith, in substantially the same for as Attachment 1 to the report, increasing the not to exceed amount by \$847,007 for a new not to exceed amount of \$16,823,046
- Authorize the City Manager to execute the Second Amendment when all necessary conditions have been met
- Approve Budget Modification No. 3 in the amount of \$897,007 to fund financing support for the Sunnyvale Clean Water Program

## **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 [19-0610](#) REQUEST FOR CONTINUANCE TO JULY 30, 2019.  
Updates to the Design Guidelines for the Murphy Station

Heritage Landmark District: Adopt a Resolution Updating the Design Guidelines for the Murphy Station Heritage Landmark District, and Find that the Action is Exempt from CEQA Pursuant to CEQA Guideline Sections 15308 and 15061(b)(3). (Study Issue)

**Recommendation:** Alternative 1: Open the Public Hearing and continue this item to the City Council meeting of July 30, 2019.

- 3      [19-0699](#)      Sunnyvale Historical Society and Museum Association's Proposed Expansion of the Sunnyvale Heritage Park Museum

**Recommendation:** Staff has no recommendation.

- 4      [19-0700](#)      Updates to the Design Criteria for Wireless Telecommunication Facilities in the Public Right-of-Way: Adopt a Resolution to Update the Design Criteria for Processing Wireless Communication Facilities in the Public Right-of-Way, and Find that the Action is Exempt from CEQA Pursuant to CEQA Guideline Section 15061(b) (3), and 15378(b).

**Recommendation:** Staff recommends Alternative 1: Adopt a Resolution (Attachment 2) to Update the Design Criteria for Processing Wireless Telecommunication Facilities in the Public Right-of-Way, and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guideline Sections 15061(b) (3) and 15378(b).

- 5      [19-0491](#)      Adopt a Resolution Confirming the Report and Assessment List for Unpaid Administrative Citations to be Placed on the FY 2019/20 County of Santa Clara Property Tax Roll, and Find that this Action is Exempt from CEQA

**Recommendation:** Alternative 1: Find that the Action is Exempt from CEQA pursuant to CEQA Guidelines section 15378 (b) (4) in that it is a governmental fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment and adopt a resolution confirming the Report and Assessment List for unpaid administrative fines to be placed on the FY 2019/20 County of Santa Clara Property Tax Roll.

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

**NON-AGENDA ITEMS & COMMENTS**

-Council

-City Manager

**INFORMATION ONLY REPORTS/ITEMS**

<a href="#">19-0112</a>	Information/Action Items
<a href="#">19-0381</a>	Board/Commission Meeting Minutes
<a href="#">19-0622</a>	Study Session Summary of April 15, 2019 - Draft Climate Action Playbook (Joint Study Session of the Sustainability Commission, Planning Commission, and Bicycle and Pedestrian Advisory Commission)
<a href="#">19-0637</a>	Notice of Public Works Director's Decision on Final Maps (Information Only)
<a href="#">19-0387</a>	Tentative Council Meeting Agenda Calendar

Visit [www.sunnyvale.ca.gov/TCMAC](http://www.sunnyvale.ca.gov/TCMAC) to view the Tentative Council Meeting Agenda Calendar (TCMAC) online. The TCMAC is updated each Thursday afternoon.

**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 at [Sunnyvale.ca.gov/PublicComments](http://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.*