



# City of Sunnyvale

## Notice and Agenda City Council

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Tuesday, September 24, 2019

5:30 PM

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

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**Special Meeting: Study Session - 5:30 PM | Regular Meeting - 7 PM**

### **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**

[19-0953](#)

Board and Commission Interviews

**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**

[19-0882](#)

SPECIAL ORDER OF THE DAY - Recognition of the Climate

Action Plan 2.0 Advisory Committee (CAC)

[19-0952](#)

SPECIAL ORDER OF THE DAY - National Breast Cancer Awareness Month

### **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** [19-0905](#) Approve City Council Meeting Minutes of September 10, 2019

**Recommendation:** Approve the City Council Meeting Minutes of September 10, 2019 as submitted.

**1.B** [19-0788](#) 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** [19-0465](#) Authorize the Issuance of a Purchase Order to Papé Machinery for a John Deere 310SL HL Backhoe (F19-204) for \$101,665.97 excluding \$9,149.31 in sales tax and approve Budget Modification No. 9 in the amount of \$110,816.

**Recommendation:** Take the following actions:

- Authorize the issuance of a Purchase Order in the amount of \$101,665.97 (including tire fees) excluding \$9,149.31 in sales tax, in substantially the same form as Attachment 1 to the report, to Pape Machinery for one (1) 2019 John Deere 310SL HL Backhoe; and
- Approve Budget Modification No. 9 in the amount of \$110,816 to fund the purchase for one (1) 2019 John Deere 310 SL HL Backhoe Truck.

- 1.D [19-0600](#) Authorize the Issuance of a Blanket Purchase Order to Peterson Power Systems, Inc. for Power Generator Rentals (F19-191)

**Recommendation:** Take the following actions:

- Authorize the issuance of a blanket purchase order to Peterson Power Systems, Inc. in the amount of \$103,200, in substantially the same form as Attachment 1 to the report; and
- Authorize the City Manager to modify or renew the blanket purchase order for one (1) additional one-year period, not-to-exceed budgeted amounts.

- 1.E [18-0803](#) Approve a Power Purchase Agreement with Borrego Solar Systems, Inc. for Solar Arrays Installation (F18-175)

**Recommendation:** Take the following actions:

- Approve a Power Purchase Agreement, in substantially the same form as Attachment 2 to the report, with Borrego Solar Systems, Inc. of Oakland for the installation of solar arrays at the SMaRT Station and the Corporation Yard; and
- Authorize the City Manager to execute the Agreement when all the necessary conditions have been met.

- 1.F [19-0799](#) Award of Five On-Call Contracts for Construction Management and Three On-Call Contracts for Quality Assurance Services (F19-149)

**Recommendation:** Take the following actions:

- Award five (5) three-year on-call contracts for construction management services and temporary personnel services agreement, with a contract amount not-to-exceed \$500,000 in substantially the same form as Attachment 1 to the report to: Ghirardelli Associates, CSG Engineering Inc., Hill International, TRC, and MNS Engineers, Inc.;
- Award three (3) three-year on-call contracts for quality assurance services, with a contract amount not-to-exceed \$300,000 in substantially the same form as Attachment 1 to the report to Applied Material, CTS, and Signet;
- Authorize the City Manager to execute the agreements when all conditions have been met;
- Authorize the City Manager to increase the contracts up to budgeted amounts; and
- Authorize the City Manager to renew the contracts for up to two additional years based upon available funding, need, acceptable pricing and service.

**1.G** [19-0829](#)

Award a Contract to Kitchell CEM for Professional Design and Construction Support Services for Fire Station Master Plan (F19-157)

**Recommendation:** Take the following actions:

- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$134,386 to Kitchell CEM;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Approve a 22% contingency in the amount of \$29,565

**1.H** [19-0851](#)

Award of Bid No. PW19-20 to Interstate Grading & Paving, Inc. for Pavement Rehabilitation 2019 and Finding of California Environmental Quality Act (CEQA) Categorical Exemption

**Recommendation:** Take the following actions:

- Make a finding of categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c);
- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$1,123,531.40 to Interstate Grading & Paving, Inc.;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Approve a 10% construction contingency in the amount of \$112,353

- 1.I [19-0884](#) Award a Contract to Baker & Taylor, LLC, for Library Materials and Related Services (F19-126).

**Recommendation:** Take the following actions:

- Award a contract in substantially the same form as Attachment 1 in the amount of \$1,839,000.00 to Baker & Taylor, LLC.;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Authorize the City Manager to increase the not-to exceed contract amount and extend the contract term, with both actions subject to available annual budgeted funding and if pricing and service remain acceptable to the City.

- 1.J [19-0903](#) Award a Contract to O'Dell Engineering to Study and Provide Professional Design and Construction Support Services for the Computer/Radio Controlled Landscape Median Irrigation Project (F19-116)

**Recommendation:** Take the following actions:

- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$181,967 to O'Dell Engineering;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Approve a 10% contingency in the amount of \$18,197.

- 1.K [19-0939](#) Authorize the Issuance of a Blanket Purchase Order for Microsoft Enterprise Agreement Licenses and a Purchase Order for Perpetual Product Licenses to SHI International

Corp. (F20-018)

**Recommendation:** Take the following actions:

- Authorize the issuance of a three-year Blanket Purchase Order to SHI International Corp., in the amount of \$1,150,000 for Microsoft Enterprise Agreement product licenses for Office 365, Dynamics Constituent Relationship Management (CRM), and productivity office software, in substantially the same form as Attachment 1 to the report;
- Authorize the issuance of a Purchase Order, to SHI International Corp. in the amount of \$382,462.12, for Microsoft perpetual product licenses for a server Operating System (OS) and SQL Server Database, in substantially the same form as Attachment 2 to the report; and
- Authorize the City Manager to extend the Blanket Purchase Order for two additional one-year periods and amend the Blanket Purchase Order amount, based on acceptable pricing and available budget.

**1.L**    [19-0732](#)    Designate a Voting Delegate and Alternate for the 2019 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.

**1.M**    [19-0950](#)    Approve City Position on Proposed League of California Cities' 2019 Annual Conference Resolutions

**Recommendation:** Approve a Take No Position for the proposed Resolution #1, Amendment to Rule 20A; and Take No Position for the proposed Resolution #2, International Transboundary Pollution Flows, and authorize the City's voting delegate/alternates to cast votes consistent with the City Council's adopted positions.

**1.N**    [19-0943](#)    Endorse the Slate of Candidates for the League of California Cities Peninsula Division Election of Executive Committee Officers 2019/20

- Recommendation:** Endorse the slate of candidates for the Peninsula Division Executive Committee for 2019/20:
- a. President: Marico Sayoc, Councilmember, Los Gatos
  - b. Vice President: Shelly Masur, Councilmember, Redwood City
  - c. Treasurer: Nancy Smith, Councilmember, Sunnyvale
  - d. Secretary: Neysa Fligor, Councilmember, Los Altos
  - e. Board Director (Two Year Term): Emily Beach, Councilmember, Burlingame
  - f. Board Liaison: Alicia Aguirre, Councilmember, Redwood City
  - g. San Mateo County Representative: Mark Nogales, Councilmember, South San Francisco
  - h. Santa Clara County Representative: John McKay, Councilmember, Morgan Hill
  - i. Legislative Action Committee, Santa Clara: Charles "Chappie" Jones, Councilmember, San Jose
  - j. Legislative Action Committee, San Mateo: Julia Mates, Councilmember, Belmont
  - k. Past President: Larry Moody, Councilmember, East Palo Alto

## **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      [19-0932](#)      Introduce an Ordinance to add Chapter 19.77 ("Inclusionary Below Market Rate Rental Housing") to Title 19 ("Zoning") of the Sunnyvale Municipal Code to create an Inclusionary Rental Housing Program, and adopt a Resolution to amend the Master Fee Schedule and create a Rental Housing In-Lieu Fee.

**Recommendation:** Alternatives 1 and 4: 1.) Introduce an ordinance to add Chapter 19.77 ("Inclusionary Below Market Rate Rental Housing ") to Title 19 ("Zoning") of the Sunnyvale Municipal Code to create an Inclusionary Rental Housing Program (Attachment 3 to the report); and 2.) Approve a Resolution to amend the Master Fee Schedule and create a new Small Rental Project In-Lieu Fee of \$12.50 per habitable square foot and a new Large Rental Project In-Lieu Fee of \$25.00 per habitable square foot, adjusted annually as part of the City Fee Schedule (Attachment 4 to the report).

- 3      [19-0369](#)      Proposed Amendment to Title 6 (Animals) of the Sunnyvale Municipal Code to Modernize and Reorganize Content

**Recommendation:** Alternative 1: Introduce an Ordinance amending Title 6 of the Sunnyvale Municipal Code to modernize and reorganize Title 6.

- 4      [19-0940](#)      Adopt a Resolution Amending the City's Salary Resolution and the Schedule of Pay to Increase the Salary Ranges for Pay Plan Category F (Unclassified Department Directors)

**Recommendation:** Alternative 1: Adopt a Resolution Amending Resolution No. 190-05, the City's Salary Resolution, by Amending the Salary Schedule to Increase the Salary Ranges for Unclassified Department Director Positions (Pay Plan Category F)

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

### **NON-AGENDA ITEMS & COMMENTS**

-Council

-City Manager

### **INFORMATION ONLY REPORTS/ITEMS**

Visit <http://Sunnyvale.ca.gov/TCMAC> to view the Tentative Council Meeting Agenda Calendar (TCMAC) online. The TCMAC is updated each Thursday afternoon.

[19-0519](#)      Tentative Council Meeting Agenda Calendar



- [19-0803](#) Board/Commission Meeting Minutes
- [19-0813](#) Information/Action Items
- [19-0917](#) Boards and Commissions Semi-Annual Attendance Report, January - June 2019 (Information Only)
- [19-0648](#) Wolfe Road Pavement Options (Information Only)
- [19-0948](#) Study Session Summary of August 27, 2019 - Sunnyvale Clean Water Program Administration and Lab Building Site and Architecture Update

## **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](https://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.*