



City of Sunnyvale

Notice and Agenda City Council

Tuesday, January 14, 2020

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: Study Session 5:30 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

[20-0098](#)

CONFERENCE WITH LEGAL COUNSEL-SETTLEMENT OF
WORKER'S COMPENSATION CLAIMS

Closed Session held pursuant to California Government Code
Section 54956.95(b):

Carlton, Ramina v. City of Sunnyvale (WCAB ADJ10361783)

[20-0163](#)

CONFERENCE WITH LEGAL COUNSEL-SETTLEMENT OF
WORKER'S COMPENSATION CLAIMS

Closed Session held pursuant to California Government Code
Section 54956.95(b):

John Credi v. City of Sunnyvale (WCAB ADJ16972082;
ADJ16972028; ADJ9248734; and Claim No. 522889)

[20-0206](#)

Closed Session held pursuant to California Government Code
Section 54957.6: CONFERENCE WITH LABOR
NEGOTIATORS

Agency designated representatives: City Council

Compensation Subcommittee: Councilmembers Klein, Melton

and Larsson
Unrepresented Employee: City Manager

5 Adjourn Special Meeting

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

[20-0106](#) New Legislation Related to Housing

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

[20-0017](#) SPECIAL ORDER OF THE DAY - Recognition of Outgoing Vice Mayor

[20-0018](#) SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Incoming Vice Mayor

PRESENTATION[20-0058](#)

PRESENTATION - Transition to the Voter's Choice Act, by Rachel Jung, Outreach Coordinator, Santa Clara County Registrar of Voters

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 [20-0077](#) Approve City Council Meeting Minutes of January 7, 2020

Recommendation: Approve the City Council Meeting Minutes of January 7, 2020 as submitted.

1.B [20-0035](#) 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 [20-0164](#) Authorize the Issuance of a Purchase Order to National Auto Fleet Group for Ten (10) Ford Ranger Service Vehicles (F19-141)

Recommendation: Authorize the issuance of a Purchase Order in the amount of \$249,921.50 (including tire and delivery fees) excluding sales tax, in substantially the same form as Attachment 1 to the report, to National Auto Fleet Group for ten (10) 2020 Ford Ranger service vehicles

- 1.D [20-0165](#) Authorize the Issuance of a Blanket Purchase Order to P&R Paper Supply Company, Inc. for Janitorial Supplies (F19-222)

Recommendation: Take the following actions:

- Authorize the issuance of a blanket purchase order to P&R Paper Supply Company, Inc. for janitorial supplies, in substantially the same form as Attachment 5 to the report, in the amount of \$120,000;
- Make a determination that the bid received from Birite Food Service bid is non-responsive; and
- Authorize the City Manager to amend and renew the blanket purchase order for three additional one-year periods, subject to available budget and acceptable pricing and services.

- 1.E [20-0192](#) Award a Contract to Pacific Eco-Risk, Inc. in an amount of \$350,000 for Chronic Toxicity Testing Services at the Water Pollution Control Plant (F20-071)

Recommendation: Take the following actions:

- Award a three-year contract in substantially the same form as Attachment 1 to the report in the amount of \$350,000 to Pacific Eco-Risk, Inc.;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Authorize the City Manager to renew the contract for two (2) additional one-year periods within budgeted amounts and provided pricing and service remain acceptable.

- 1.F [20-0174](#) Award of Bid No. PW20-06 to Redgwick Construction Co. for Caribbean Drive Parking and Trail Access Enhancements, Accept the California Environmental Quality Act (CEQA) Program Environmental Impact Report (PEIR) Addendum, Authorize the City Manager to Accept Grant Funds and Execute a Sub-recipient Grant Agreement, and Approve Budget Modification No. 19

Recommendation: Take the following actions:

- Accept the PEIR Addendum in Attachment 3 to the report pursuant to CEQA Guideline Section 15162 and 15164 for Caribbean Drive Parking and Trail Access Enhancements;
- Authorize the City Manager to accept and execute a sub-recipient grant agreement with the Association of Bay Area Governments;
- Approve Budget Modification No. 19 to reduce the grant funds from the San Francisco Bay Water Quality Improvement Fund Grant in Project 833160- SCWP Caribbean Drive Parking and Trail Access Enhancements and appropriate the new amount of \$265,200 in Project 8331511 - Green Stormwater Infrastructure Implementation;
- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$981,100 to Redgwick Construction Co.;
- 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 \$98,110.

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 [20-0019](#) Annual Public Hearing-Discussion of Potential Council Study Issues and Budget Issues for Calendar Year 2020

Recommendation: No action is needed at this time. Councilmembers may request new study issues and/or budget issues be developed for review at the annual Study and Budget Issues Workshop; a minimum of two Councilmembers is required to sponsor either.

- 3 [20-0057](#) Approve an Agreement with the Sunnyvale School District and Fremont Union High School District for a Joint Use Lakewood Branch Library and Learning Center at Lakewood Elementary School

Recommendation: Alternative 1: Approve an Agreement with the Sunnyvale School District and Fremont Union High School District for a Joint Use Lakewood Branch Library and Learning Center at Lakewood Elementary School.

- 4 [20-0172](#) Approval of Budget Modification No. 17 in the total amount of \$90,000 to the North County Gun Buyback Program

Recommendation: Alternative 1: Approve Budget Modification No. 17 in the amount of \$90,000 for the FY 2019/20 North County Gun Buyback Program and Appropriate \$30,000 from the Budget Stabilization Fund for the North County Gun Buyback Program.

- 5 [20-0173](#) Award of Bid No. PW20-05 to Joseph J. Albanese, Inc. for Fair Oaks Avenue Overhead Bridge Rehabilitation, Approve Budget Modification No. 15 in the amount of \$6,826,145, Award a Contract to Ghirardelli Associates, Inc., Amend the Contract with Biggs Cardosa Associates Inc., and Approve a Peninsula Corridor Joint Powers Board Amended Service Agreement

Recommendation: Alternative 1:

A. Authorize the City Manager upon receipt of confirmation of additional funding from Caltrans:

- Award a construction contract in substantially the same form as Attachment 2 to the report to Joseph J. Albanese in the amount of \$18,386,002.86;
- Execute the construction contract when all necessary conditions have been met;
- Approve a 10% construction contingency in the amount of \$1,838,600;
- Execute First Amendment to a construction management contract to increase the contract amount by \$2,333,197.29 to a new amount not-to-exceed \$2,382,824.70 with Ghirardelli Associates, Inc.;
- Execute a Fifth Amendment to an engineering services contract with Biggs Cardosa Associates Inc. of San Jose to increase the contract by \$442,731 to a new amount not-to-exceed \$2,626,075; and
- Execute Peninsula Corridor Joint Powers Board (PCJPB) Amended Service Agreement (Amendment #1) in an amount not-to-exceed \$177,506.

B. Approve Budget Modification No. 15 in the amount of \$6,826,145 to provide additional project funding upon confirmation of additional funding from Caltrans.

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[20-0170](#)

Adopt an Urgency Ordinance to Extend the Recently Adopted Urgency Ordinance to February 6, 2020 to Amend Title 19 (Zoning) of the Sunnyvale Municipal Code related to new State Legislation on Accessory Dwelling Units, Introduce an Ordinance to Renumber Chapter 19.77 (Accessory Dwelling Units) to Chapter 19.79 and make other associated changes to Title 19, and Find that these Actions are Exempt from the California Environmental Quality Act

Recommendation: Alternative 1: Find that the Action is Exempt from CEQA pursuant to Public Resource Code Section 21080.17 and does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3), Adopt an Urgency Ordinance (Attachment 6 to the Report) to Extend the Recently Amended Urgency Ordinance to February 6, 2020 to Amend Title 19 (Zoning) of the Sunnyvale Municipal Code related to new State Legislation on Accessory Dwelling Units, and Introduce an Ordinance to Renumber Chapter 19.77 (Accessory Dwelling Units) to Chapter 19.79 and make other associated changes to Title 19.

- 7 [20-0205](#) Direction Regarding Amending the Employment Agreement between the City of Sunnyvale and City Manager Kent Steffens to Increase the City Manager Salary in an Amount to be Determined by the City Council

Recommendation: Staff makes no recommendation. This report is developed to facilitate conversation for the public hearing and action by the City Council.

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.

[20-0067](#) Tentative Council Meeting Agenda Calendar

[20-0075](#) Board/Commission Meeting Minutes

[20-0076](#) Information/Action Items

[20-0208](#)

Mayoral Announcement of Mayor-Appointed Ad Hoc El Camino Real Plan Advisory Committee Appointments Committee (Information Only)

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 <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.