



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, June 11, 2019

4:30 PM

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

**Special Meeting: Closed Session - 4:30 PM | Study Session - 5:30 PM | Regular Meeting -
7 PM | Special Joint Meeting of the City Council and the Sunnyvale Financing Authority-
7 PM**

(or as soon thereafter as the matter may be heard)

4:30 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

[19-0271](#)

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)

[19-0581](#)

CONFERENCE WITH LEGAL COUNSEL-SETTLEMENT OF WORKERS' COMPENSATION CLAIM

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

Name of Case: Barrett, Todd v. City of Sunnyvale (WCAB

ADJ2680765; ADJ7694661; ADJ7695117; ADJ7794588;

ADJ7694697; ADJ8037174; ADJ7694730; and ADJ8714689)

5 Adjourn Special Meeting**5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)****1 Call to Order in the Council Chambers (Open to the Public)****2 Roll Call****3 Public Comment****4 Study Session**[19-0524](#)

California Voting Rights Act (CVRA) Update on Community Education and Outreach Phase 1, and Ballot Measure to Amend City Council Elections

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**[19-0623](#)

SPECIAL ORDER OF THE DAY - National Lesbian, Gay, Bisexual, Transgender and Queer Pride Month (LGBTQ Pride 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 [19-0495](#) Approve City Council Meeting Minutes of May 21, 2019

Recommendation: Approve the City Council Meeting Minutes of May 21, 2019 as submitted.

1.B [19-0536](#) Approve Special City Council Meeting Minutes of May 23, 2019

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

1.C [19-0333](#) 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 [19-0354](#) Adopt a Resolution to Summarily Vacate a Slope Easement at 1235 Bordeaux Drive

Recommendation: Adopt the resolution to summarily vacate a portion of the 15-foot wide slope easement at 1235 Bordeaux Drive; and to authorize the City Clerk to submit a certified copy of the resolution to the Santa Clara County Recorder's Office.

1.E [19-0457](#) Award of Bid No. PW19-12 to Ray's Electric for the Intersection Upgrade at E. Remington Drive and Michelangelo Drive Project, Determination of Bid Non-Responsiveness and Waiver of Minor Bid Irregularity, Finding of California

Environmental Quality Act (CEQA) Categorical Exemption, and Approval of Budget Modification No. 25 in the Amount of \$111,289

Recommendation: Take the following actions:

- Make a determination that the bid received from Guerra Construction Group is non-responsive due to the bidder not sufficiently documenting and demonstrating that adequate subcontracting and/or good faith efforts were made to meet the Disadvantage Business Enterprise goal
- Make a finding of a categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c)
- Make a determination to waive the minor bid irregularities for the bid of Ray's Electric
- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$251,537 to Ray's Electric
- Authorize the City Manager to execute the contract when all necessary conditions have been met
- Approve a 10% construction contingency in the amount of \$25,154
- Approve Budget Modification No. 25 in the amount of \$111,289

- 1.F [19-0464](#) Award of Seven On-Call Contracts for Engineering Support Services (F19-198)

Recommendation: Take the following actions:

- Award seven (7) three-year on-call engineering support services contracts in substantially the same form as Attachment 1 to the report to: Advanced Design Consultants in the amount of \$200,000, CSW/Stuber-Stroeh Engineering Group, Inc. in the amount of \$500,000, Kimley-Horn and Associates in the amount of \$200,000, Salas O'Brien in the amount of \$200,000, SANDIS in the amount of \$500,000, Schaaf & Wheeler in the amount of \$500,000, and TJKM Transportation Consultants in the amount of \$200,000
- Authorize the City Manager to execute the contracts when all necessary conditions have been met
- Authorize the City Manager to increase the contracts up to budgeted amount
- Authorize the City Manager to renew each contract for up to two additional one year periods based upon available funding, need, acceptable pricing and service.
- Authorize the City Manager to modify each contract's compensation schedule subject to negotiated pricing.

1.G [19-0532](#)

Award of Contract to TJKM Transportation Consultants for East Sunnyvale Sense of Place Project (F19-099)

Recommendation: Take the following actions:

- Make a finding of California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines Section 15378(a)
- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$686,310 to TJKM Transportation Consultants
- Authorize the City Manager to execute the contract when all necessary conditions have been met
- Approve a 10% contingency in the amount of \$68,631

1.H [19-0521](#)

Amend a Purchase Order for the Sewer Line On-Call Maintenance and Repair Services (F19-180)

Recommendation: Take the following actions:

- Authorize the City Manager to amend an existing Purchase Order with Able Construction Group Inc. to increase the not-to-exceed value to \$300,000; and
- Authorize the City Manager to amend the not to exceed amount of the two (2) additional one-year periods that was previously authorized by City Council for these services, within approved budgeted funding.

ADJOURNMENT TO SPECIAL JOINT MEETING OF THE CITY COUNCIL AND SUNNYVALE FINANCING AUTHORITY**CALL TO ORDER****ROLL CALL****PUBLIC COMMENT (ON SPECIAL MEETING ITEMS ONLY)****CONSENT CALENDAR**

- 2.A [19-0584](#) Approve Joint City Council and Sunnyvale Financing Authority Meeting Minutes of December 19, 2017

Recommendation: Sunnyvale Financing Authority
Approve the Joint City Council and Sunnyvale Financing Authority Meeting Minutes of December 19, 2017 as submitted.

- 2.B [19-0585](#) Approve Joint City Council and Sunnyvale Financing Authority Meeting Minutes of June 12, 2018

Recommendation: Sunnyvale Financing Authority
Approve the Joint City Council and Sunnyvale Financing Authority Meeting Minutes of June 12, 2018 as submitted.

- 2.C [19-0586](#) Approve Joint City Council and Sunnyvale Financing Authority Meeting Minutes of June 26, 2018

Recommendation: Sunnyvale Financing Authority
Approve the Joint City Council and Sunnyvale Financing Authority Meeting Minutes of June 26, 2018 as submitted.

- 2.D [19-0587](#) Approve Joint City Council and Sunnyvale Financing Authority Meeting Minutes of December 18, 2018

Recommendation: Sunnyvale Financing Authority
Approve the Joint City Council and Sunnyvale Financing Authority Meeting Minutes of December 18, 2018 as submitted.

GENERAL BUSINESS

- 3 [19-0356](#) Annual City Council Public Hearing on FY 2019/20 Budget and Resource Allocation Plan and Establishment of Appropriations Limit and Sunnyvale Financing Authority Public Hearing on FY 2019/20 Budget

Recommendation: City Council:
Conduct a Public Hearing to obtain input from the public as required by City Charter Section 1303, the California Constitution, and the California Government Code. Council can also provide direction to staff on any issue requiring further review prior to the adoption of the FY 2019/20 Budget on June 25, 2019.

Sunnyvale Financing Authority:
Conduct a Public Hearing on the FY 2019/20 Budget. The Board can also provide direction to staff on any issue requiring further review prior to the adoption of the FY 2019/20 Budget on June 25, 2019.

ADJOURN SPECIAL MEETING

RECONVENE TO CITY COUNCIL MEETING

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.

- 4 [19-0039](#) Appoint Applicants to the Bicycle and Pedestrian Advisory Commission, Board of Library Trustees, Heritage Preservation

Commission, Housing and Human Services Commission, Parks and Recreation Commission, Personnel Board, and Planning Commission and Sustainability Commission

Recommendation: Staff makes no recommendation.

- 5 [19-0357](#) Annual Review of Proposed Fees and Charges for Fiscal Year 2019/20

Recommendation: Council is conducting a public hearing in order to solicit public input and provide direction to staff on any fee requiring further review prior to the June 25, 2019 Council meeting where the proposed schedule will be considered for adoption.

- 6 [19-0309](#) Approve Budget Modification No. 19 for the Golf and Tennis Operations

Recommendation: Alternative 1: Approve Budget Modification No. 19 to recognize \$472,771 in revenue and appropriate \$720,197 in operating expenses in the Golf and Tennis Operations Fund to operate Barrel 19 Bistro & Bar (Barrel 19) at Sunnyvale Golf Course and approve a \$400,000 transfer from General Fund to the Golf and Tennis Operations Fund.

- 7 [19-0644](#) Request that the City Council Provide Direction to Staff on Flying the Pride Flag at City Hall

Recommendation: Staff makes no recommendation. This report was prepared to facilitate a discussion and direction to staff by Council.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

[19-0602](#) Board/Commission Resignation (Information Only)

[19-0533](#) Information/Action Items

[19-0534](#) Board/Commission Meeting Minutes

[19-0515](#)

Tentative Council Meeting Agenda Calendar

Visit http://sunnyvaleca.granicus.com/ViewPublisher.php?view_id=6 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 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.