



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, March 15, 2016

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 | Joint Study Session with Bicycle and
Pedestrian Advisory Commission-5:30 PM | Regular Meeting-7 PM**

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

[16-0091](#)

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

Agency designated representatives: Teri Silva, Director of
Human Resources; Deanna J. Santana, City Manager

Employee organization: Public Safety Officers Association
(PSOA)

Employee organization: Sunnyvale Employees Association
(SEA)

5 Adjourn Special Meeting

5:30 P.M. SPECIAL COUNCIL MEETING (Joint Study Session with Bicycle and Pedestrian Advisory Commission)

1 Call to Order in the Council Chambers (Open to the Public)

2 Roll Call

3 Public Comment

4 Study Session

[16-0175](#)

Update and Status of the City's Bicycle Program and Upcoming Projects - Joint Study Session with the Bicycle and Pedestrian Advisory Commission

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

PRESENTATION

[16-0068](#)

PRESENTATION - Presentation by the Sunnyvale Chamber of Commerce Regarding its Recent Survey on Transportation Priorities

ORAL COMMUNICATIONS

This category provides an opportunity for members of the public to address 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 Councilmembers 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 [16-0040](#) Approve City Council Meeting Minutes of February 9, 2016

Recommendation: Approve the City Council Meeting Minutes of February 9, 2016 as submitted.

1.B [16-0231](#) Approve City Council Meeting Minutes of February 23, 2016

Recommendation: Approve the City Council Meeting Minutes of February 23, 2016 as submitted.

1.C [16-0186](#) 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 [15-1067](#) Approve Agreement with Abode Services Related to Tenant Based Rental Assistance (TBRA) Program

Recommendation: Approve the Agreement with Abode Services, in substantially the same form as Attachment 1 to the report, to provide funding for the Sunnyvale TBRA Program in an amount not to exceed \$371,898, and authorize the City Manager to execute the Agreement.

1.E [16-0250](#) Third Amendment to Outside Counsel Agreement with Rankin Stock Heaberlin for Litigation Services

Recommendation: Authorize the City Attorney to execute a Third Amendment, in substantially the same form as Attachment 1 to the report, to the Outside Counsel Agreement with the law firm of Rankin Stock Heaberlin to increase the not-to-exceed amount by \$100,000, for a new not-to-exceed contract amount of \$250,000.

1.F [16-0038](#) Authorize the Issuance of a Purchase Order for the Purchase of Self-checkout Machines, a Security Gate, and Related Software and Hardware for the Sunnyvale Public Library (F16-91)

Recommendation: Authorize the issuance of a purchase order substantially in the same form as Attachment 1 to the report in the amount of \$99,995, excluding sales tax, to Bibliotheca ITG for six (6) SmartServe 1000 self-checkout machines, a SmartGate 400 Single Aisle Security Gate, and related software and hardware.

1.G [16-0128](#) Award of Contract for Instructional Classes and Camps (F16-83)

Recommendation: 1) Award a two-year contract to Kidz Love Soccer to provide instructional classes and camps, in substantially the same form as Attachment 1 of the report; and 2) Delegate authority to the City Manager to renew the contract for an additional one-year period, provided pricing and service remain acceptable to the City Manager.

1.H [16-0177](#) Award of Contract for Americans with Disabilities Act (ADA) Access Evaluation and Transition Plan for City Facilities and Rights-of-way (F16-55)

Recommendation: 1) Award a contract, in substantially the same form as Attachment 1 of the report and in the amount not to exceed \$269,415 to Sally Swanson Architects, Inc. and 2) approve a 10% contract contingency in the amount of \$26,942.

1.I [16-0185](#) Authorization to Accept the Pavement Maintenance Technology Assistance Program Grant from the Metropolitan Transportation Commission to Update the City's Pavement Management System

Recommendation: Authorize the City Manager to Accept the Metropolitan Transportation Commission Pavement Maintenance Technology Assistance Program Grant to Update the City's Pavement Management System.

1.J [16-0230](#) Award of Bid No. PW16-06 for Orchard Gardens Park Restrooms Renovation and Finding of CEQA Categorical Exemption

Recommendation: 1) Make a finding of CEQA categorical exemption pursuant to CEQA Guideline Section 15301 for alterations to existing facilities involving negligible or no expansion of use beyond that presently existing; 2) award a contract in substantially the same form as Attachment 2 to the report and in the amount of \$120,365 to Integra Construction Services Inc.; and 3) approve a 15% construction contingency in the amount of \$18,055.

1.K [16-0165](#) Approve the Agreement Renewal with Sustainable Community Gardens for Property Located at 433 Charles Street

Recommendation: Alternative 1: Approve renewal of the Agreement, in substantially the same form as Attachment 1 to the report, with Sustainable Community Gardens for the operation and maintenance of the Charles Street Community Gardens for a one year term and authorize the City Manager to enter into yearly renewals of the Agreement on behalf of the City.

1.L [16-0235](#) Adopt Ordinance No. 3074-16 Amending Certain Sections in Chapters 18.04 (General Provisions) and 18.20 (Maps) of Title 18 (Subdivisions) of the Sunnyvale Municipal Code

Recommendation: Adopt Ordinance No. 3074-16.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearings/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 [16-0260](#) RECOMMEND CONTINUANCE
File #: 2015-7530 and 2015-7936
Location: 521 E. Weddell Drive (APN: 110-14-196), 531 E. Weddell Drive (APN: 110-14-186), 539 E. Weddell Drive (APN: 110-14-158), 1010 Morse Ave. (APN: 110-14-202)
Proposed Project:
GENERAL PLAN AMENDMENT: Proposed land use designation change from Industrial to School on three parcels (521, 531, and 539 E. Weddell Drive) and from Industrial to Residential/Medium to High Density to Park on one parcel (1010 Morse Ave. - Seven Seas Park); and
REZONING from MS-POA (Industrial and Service - Places of

Assembly Combining District) on three parcels (521, 531 and 539 E. Weddell Drive) and MS-ITR-R3-PD (Industrial and Service - Industrial to Residential/Medium Density Residential/Planned Development) on one parcel (1010 Morse Ave. - Seven Seas Park) to PF (Public Facilities) zoning.

Applicant / Owner: Sunnyvale International Church and Summit School (applicants) / Sunnyvale International Church (owner - 521 and 539 E. Weddell Drive), 1st Morning Light Chinese Christian Church (owner - 531 E. Weddell Drive), and City of Sunnyvale (owner - 1010 Morse Ave.)
Environmental Review: Negative Declaration

Recommendation: Continue the item per the staff report.

3 [16-0180](#)

File #: 2014-7990

Location: 1500 Partridge Avenue (APN: 313-24-031)

Zoning: PF (Public Facility)

Proposed Project:

TWO APPEALS of decision by the Planning Commission:
Appeal No. 1) Certifying an Environmental Impact Report; and
Appeal No. 2) Denying a Use Permit to allow a private school (Stratford School) at the former Raynor Activity Center.

Applicant / Owner: Stratford School (applicant) / City of Sunnyvale (owner)

Environmental Review: Environmental Impact Report

Recommendation: Appeal No. 1: EIR Actions. Alternative 1 to Deny the appeal by the Ray-Nor Neighborhood Association of the Certification of the Environmental Impact Report, Make the Findings Required by CEQA and Certify the EIR.
Appeal No. 2: Use Permit. Alternative 4 to Grant the appeal by the applicant of the Use Permit, make the Findings Required by the CEQA, adopt a Statement of Overriding Considerations and Mitigation Monitoring Program as set forth in Attachment 6 and 7 of the report, and approve the Use Permit with the Conditions of Approval as set forth in Attachment 4 of the report.

4 [15-0392](#)

Introduce an Ordinance to Amend Titles 3 (Revenue and Finance) and 19 (Zoning) of the Sunnyvale Municipal Code related to the Transportation Impact Fee and Housing Impact Fees in Conjunction with the Study Issue to Evaluate the Timing of Park Dedication In-lieu Fee Calculation and

Payment (2015-7151)

Recommendation: Alternative 1: Introduce an Ordinance to Amend Titles 3 (Revenue and Finance) and 19 (Zoning) of the Sunnyvale Municipal Code related to the Transportation Impact Fee and Housing Impact Fees to calculate fees at the time of building permit submittal.

- 5 [15-1019](#) Approve the 2015 Annual Progress Report on Implementation of the General Plan Housing Element

Recommendation: Alternative 1: Approve the Annual Progress Report on implementation of the Housing Element.

- 6 [16-0047](#) Consider First Community Housing Proposal for \$6 Million in Housing Mitigation Funds for Redevelopment of Orchard Gardens Apartments at 245 W. Weddell Drive, Resulting in an 87-Unit Affordable Housing Project

Recommendation: Alternative 1: Award a two-year conditional commitment of HMF in the amount of \$6 million to FCH for redevelopment of Orchard Gardens Apartments at 245 W. Weddell Drive in Sunnyvale, generally consistent with the terms described in Attachment 5 to the report, and direct staff to include the funds committed to this project in the FY 2016-17 Projects Budget.

- 7 [16-0234](#) Review the Existing Friendly Exchange Relations Agreement with the City of Dubna, Moscow Region, Russian Federation for Potential Renewal

Recommendation: Staff makes no recommendation.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- [16-0244](#) Clarification on Sunnyvale's Representation on the Santa Clara Valley Transportation Authority Board of Directors (Information Only)

- [16-0237](#) New Green Bike Lanes Implementation Standards (Information Only)
- [16-0270](#) City of Sunnyvale Brand Report and Next Steps (Information Only)
- [16-0061](#) Tentative Council Meeting Agenda Calendar
- [16-0022](#) Information/Action Items
- [16-0080](#) Board/Commission Meeting Minutes

ADJOURNMENT

NOTICE TO THE PUBLIC

The agenda reports to council (RTCs) may be viewed on the City's Web site 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 35.106 ADA Title II).

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"

document available at Presentations.inSunnyvale.com.

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 CouncilMeetings.inSunnyvale.com for upcoming Council meeting information.

Visit BoardsandCommissions.inSunnyvale.com for upcoming board and commission meeting information.

For a complete schedule of KSUN-15 Council meeting broadcasts, visit KSUN.insunnyvale.com.