



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, March 29, 2016

5:00 PM

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

Special Meeting-Study Sessions-5 PM | Regular Meeting-7 PM

5 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

A [16-0232](#) Review of Water Rate Cost of Service Study Results

B [16-0052](#) Overview of Current State of Information Technology Program
and Projects

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

PRESENTATIONS

- 1 [16-0316](#) PRESENTATION - Presentation by the Sunnyvale Chamber of Commerce Regarding its Recent Survey on Transportation Priorities
- 2 [16-0155](#) PRESENTATION - PG&E Pipeline Safety Program

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 [16-0304](#) Approve City Council Meeting Minutes of February 9, 2016
(Continued from March 15, 2016)

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

- 1.B [16-0305](#) Approve City Council Meeting Minutes of February 23, 2016
(Continued from March 15, 2016)

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

- 1.C [16-0268](#) Approve City Council Meeting Minutes of March 15, 2016

Recommendation: Approve the City Council Meeting Minutes of March 15, 2016 as submitted.

- 1.D [16-0166](#) 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.E [16-0300](#) Approve Agreement with Abode Services Related to Tenant Based Rental Assistance (TBRA) Program (Continued from March 15, 2016)

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.F [16-0306](#) Third Amendment to Outside Counsel Agreement with Rankin Stock Heaberlin for Litigation Services (Continued from March 15, 2016)

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.G [16-0307](#) Award of Contract for Americans with Disabilities Act (ADA) Access Evaluation and Transition Plan for City Facilities and Rights-of-way (F16-55) (Continued from March 15, 2016)

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.H [16-0308](#) Award of Bid No. PW16-06 for Orchard Gardens Park Restrooms Renovation and Finding of CEQA Categorical Exemption (Continued from March 15, 2016)

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.I [16-0309](#) 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 (Continued from March 15, 2016)

Recommendation: Adopt Ordinance No. 3074-16.

- 1.J [16-0277](#) Appoint Dr. Judy Miner to the NOVA Workforce Board

Recommendation: Appoint Dr. Judy Miner to the NOVA Workforce Board.

- 1.K [16-0281](#) Approve Recommendation from the Community Event Grant Distribution Subcommittee to Initiate the 2016 Grant Procedure and Process

Recommendation: The Community Event Grant Distribution Subcommittee recommends that the Council approve the grant procedure and process, including eligibility evaluation criteria, application and time line, as outlined in the Memorandum to the Community Events Grant Distribution Subcommittee dated February 9, 2016 (Attachment 2 to this report) to initiate the 2016 Grant Procedure and Process. The Subcommittee will present their final grant distribution recommendations to the City Council during the June 28, 2016 City Council meeting, following the adoption of the Fiscal Year 2016/17 Budget.

- 1.L [16-0214](#) Approve Modification to Contract for Youth Workforce Development Services

Recommendation: Approve the modification of the Agreement with JobTrain for youth workforce development services, as presented in Attachment 1 of the staff report, and authorize the City Manager to Execute the Agreement increasing the not-to-exceed amount by \$50,000 for a new not-to-exceed amount of \$400,000 for services through June 30, 2016.

- 1.M [16-0254](#) Award of a Contract for Design Services to Upgrade the SMaRT Station Stormwater Management System in Conjunction with the San Francisco Baykeeper Settlement (F16-71)

Recommendation: 1) Award a contract, in substantially the same form as Attachment 1 of this report and in an amount not to exceed \$149,563 to Geosyntec Consultants; and 2) approve a 10% design contingency in the amount of \$14,956.

- 1.N [16-0145](#) Adopt a Resolution Approving City Applications for CalRecycle Funding and Related Authorizations

Recommendation: Adopt the Resolution for Submittal of Applications for CalRecycle Payment Programs and Related Authorizations for which City of Sunnyvale is Eligible.

- 1.O [16-0167](#) Approve the Downtown Sunnyvale Business Improvement District Report for Fiscal Year 2015/16 and Adopt the Resolution of Intention to Reauthorize the Downtown Sunnyvale Business Improvement District for Fiscal Year 2016/17

Recommendation: Approve the submitted FY 2015/16 BID Annual Report and Adopt the Resolution of Intention, and schedule a public hearing for April 19, 2016 to reauthorize the Business Improvement District for FY 2016/17.

- 1.P [16-0176](#) Approve Final Map (Tract No.10316) - 7 Townhomes at 1050-1060 Helen Avenue by Casa Camino, LLC, a California Limited Liability Company

Recommendation: Approve the final map for Tract No. 10316; authorize the Mayor to sign Subdivision Agreement SD-15-03 upon submittal of other documents deemed necessary by the Director of Public Works; and direct the City Clerk to sign the City Clerk's Statement and forward the final map for recordation.

- 1.Q [16-0246](#) Annual Review and Approval of City's Code of Ethics and Conduct for Elected and Appointed Officials

Recommendation: Review and approve the 2016 Code of Ethics and Conduct for Elected and Appointed Officials with no changes from the 2015 Code as set forth in Attachment 1 of the report.

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 [16-0311](#) RECOMMEND CONTINUANCE TO APRIL 12, 2016
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) (Continued from March 15, 2016)

Recommendation: Continue the item to April 12, 2016.

- 3 [16-0302](#) 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 (Continued from March 15, 2016.)

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.

- 4 [16-0190](#) File #: 2015-7960
Location: 882 W. McKinley Ave. (APN: 165-46-057)
Zoning: R-1.7/PD (Low Medium Density Residential / Planned Development) Zoning District
Proposed Project:
SPECIAL DEVELOPMENT PERMIT: Appeal of a Planning Commission decision by the property owner for a first floor addition of 280 square feet to the rear of the existing two-story, single-family home resulting in a building size of 2,425 square feet including a 415 square foot garage and a floor area ratio (FAR) of 60.35 percent.
Applicant / Owner: Rong Chang USA Corporation (applicant) / King and Lynn Wu (owner)
Environmental Review: Categorical Exemption pursuant to California Environmental Quality Act Section 15301 (minor alterations and additions to existing structure)

Recommendation: Alternative 1: Grant the appeal and approve the Special Development Permit with Reasonable Accommodation subject to the Conditions of Approval in Attachment 4 to the report and in accordance with the Findings in Attachment 3 to the report.

- 5 [16-0299](#) Approve the 2015 Annual Progress Report on Implementation of the General Plan Housing Element (Continued from March 15, 2016)

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

- 6 [16-0154](#) Hold Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing and Adopt Resolution Related to Proposed Issuance of Tax Exempt Revenue Bonds for Preservation of “Life’s Garden” Affordable Senior Apartments at 450 Old San Francisco Road in Sunnyvale

Recommendation: Alternatives 1 and 2: 1) Conduct a public hearing pursuant to the Tax and Equity Fiscal Responsibility Act and the Internal Revenue Code of 1986, as amended; and 2) Adopt a Resolution approving the issuance of up to \$45,000,000 in tax-exempt revenue bonds by the California Municipal Finance Authority for the Life's Garden Senior Housing Project and authorizing the City Manager or her designee to execute the CMFA Joint Exercise of Powers Agreement (Attachment 2 in the report) on the City's behalf.

- 7 [16-0313](#) Discussion and Possible Council Action Relating to Sunnyvale’s Rotational Schedule on the Santa Clara Valley Transportation Authority Board of Directors

Recommendation: Staff makes no recommendation.

- 8 [16-0310](#) Review the Existing Friendly Exchange Relations Agreement with the City of Dubna, Moscow Region, Russian Federation for Potential Renewal (Continued from March 15, 2016)

Recommendation: Staff makes no recommendation.

- 9 [16-0314](#) Approve the Extension of the Closing Deadline Agreement for the Purchase and Sales Agreement for Raynor Activity Center Located at 1500 Partridge Avenue and Amend the Joint Use Agreement for Raynor Park with Stratford School to Reflect Use Permit Conditions Approved by City Council

Recommendation: Alternatives 1, 2 and 3: 1) Find that the proposed extension of the closing deadline in the Purchase and Sale Agreement and amendments to the Joint Use Agreement will not create significant new environmental effects or increase the severity of previously identified significant effects associated with the project that would require additional environmental review under CEQA; 2) Authorize the City Manager to execute the revised Joint Use Agreement for Raynor Park with Stratford School (Attachment 1 of the report); and 3) Authorize the City Manager to execute the Extension of Closing Deadline Agreement for the Purchase and Sales Agreement for Raynor Activity Center Located at 1500 Partridge Avenue (Attachment 2 of the report).

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- [16-0273](#) Tentative Council Meeting Agenda Calendar
- [16-0147](#) Information/Action Items
- [16-0333](#) Formation of Sunnyvale Brand Subcommittee (Information Only)
- [16-0280](#) 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.