



# City of Sunnyvale

## Notice and Agenda

### City Council

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Tuesday, May 8, 2018

5:00 PM

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

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**Special Meeting: Closed Session- Joint Council and Successor Agency-5 PM| Closed  
Sessions- 5:30 PM | Regular Meeting- 7 PM**

#### **5 P.M. SPECIAL JOINT COUNCIL WITH SUCCESSOR AGENCY MEETING (Closed Session)**

##### **1 Call to Order in the West Conference Room (Open to the Public)**

##### **2 Roll Call**

##### **3 Public Comment**

*The public may provide comments regarding the Closed Session item(s) just prior to the beginning of the Closed Session. Closed Sessions are not open to the public.*

##### **4 Convene to Closed Session**

[18-0441](#)

Closed Session held pursuant to California Government Code  
Section 54956.9(d)(1):

CONFERENCE WITH LEGAL COUNSEL-EXISTING  
LITIGATION

Consolidated Appeals:

Santa Clara County Office of Education, et al., v. Successor  
Agency to the Redevelopment Agency of the City of  
Sunnyvale, et al. Third District Court of Appeal Case No.  
C077661; and

Successor Agency to the Redevelopment Agency of the City of  
Sunnyvale, et al., v. Michael Cohen as Director, et al. Third  
District Court of Appeal Case No. C077659

##### **5 Adjourn Special Meeting**

**5:30 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**

[18-0340](#)

Closed Session held pursuant to California Government Code  
Section 54957: PUBLIC EMPLOYEE PERFORMANCE  
EVALUATION

Title: City Manager

[18-0339](#)

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

Agency designated representatives: Kent Steffens, City  
Manager; Teri Silva, Assistant City Manager

Unrepresented Employee Groups: Unrepresented  
Management

**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**

- [18-0299](#) SPECIAL ORDER OF THE DAY - Teen Self Esteem Awareness Month
- [18-0300](#) SPECIAL ORDER OF THE DAY - Municipal Clerks Week
- [18-0307](#) SPECIAL ORDER OF THE DAY - Affordable Housing Week

**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 [18-0389](#) Approve City Council Meeting Minutes of April 24, 2018

**Recommendation:** Approve the City Council Meeting Minutes of April 24, 2018 as submitted.

- 1.B [17-1111](#) 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 [18-0282](#) Award of Bid No. PW18-01 for City-wide Waterline Replacement 2017, Finding of California Environmental Quality Act (CEQA) Categorical Exemption, and Approval of Budget Modification No. 46

**Recommendation:** 1) Make a finding of a California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines Section 15302 (c) for replacement and reconstruction of existing utility system involving negligible or no expansion of capacity; 2) award a contract in substantially the same form as Attachment 2 to the report in the amount of \$3,660,610 to Northern Underground Construction, Inc. and authorize the City Manager to execute the contract when all necessary conditions have been met; 3) approve a 10% construction contingency in the amount of \$366,061; and 4) Approve Budget Modification No. 46 in the amount of \$687,521 to advance project funding from FY 2018/19 City-wide Water Line Replacement Budget.

- 1.D [18-0310](#) FY 2017/18 NOVA Workforce Services Department Expenditure Update and Approval of Budget Modification No. 47

**Recommendation:** Approve Budget Modification No. 47 increasing revenues for the Employment Development Fund by \$1,200,000 for new total revenues of \$11,700,000, increasing expenditures by \$1,056,320 and transfers to General Fund of \$143,680 for the FY 2017/18 Budget.

- 1.E [18-0362](#) Receive and File the City of Sunnyvale Investment Report - 1st Quarter 2018

**Recommendation:** Receive and file the City of Sunnyvale FY 2017/18 - First Quarter 2018 (Period 10) Investment Report.

- 1.F [18-0395](#) Approve the Second Amendment to Outside Counsel Agreement with Leone & Alberts for Legal Services

**Recommendation:** Authorize the City Attorney to execute a Second Amendment to Outside Counsel Agreement with Leone & Alberts for Legal Services to increase the not-to-exceed amount by \$25,000 for a total new not-to-exceed amount of \$125,000.

**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      [18-0336](#)      Approve the Caribbean Drive Parking and Trail Access Enhancements Design Alternative, and Amend an Existing Design/Construction Support Contract

**Recommendation:** Staff recommends Alternatives 1 through 3:

1. Approve the Caribbean Drive Parking and Trail Enhancements Design Preferred Alternative-Multi-Use Path and Wide Buffers as shown in Attachment 3.
2. Direct staff to perform speed surveys along Caribbean Drive to maintain or reduce the speed limit.
3. Authorize the City Manager to execute an amendment to an existing contract with Mark Thomas & Company, in substantially the same format as Attachment 6, adding \$75,000 and increasing the not-to-exceed value from \$319,662 to \$394,662.

- 3      [18-0368](#)      APPLICATION WITHDRAWN - NO FURTHER ACTION REQUIRED.
- Proposed Project:      General Plan Amendment Initiation (GPI) request to study changing the General Plan from Public Facility (P-F) to Medium Density Residential.
- File #: 2018-7040
- Location: 1050 West Remington Drive (APN: 202-26-007)
- Zoning: P-F
- Applicant / Owner: Catalyst Development Partners (applicant) / Church of Christ of Sunnyvale (owner)
- Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(a).

**4**      [18-0371](#)

Proposed Project:      A request for a Downtown Specific Plan Amendment Initiation to study changes to the development intensities and standards for Block 20 of the Downtown Specific Plan to increase the number of allowable residential units, an increase to the square footage of office allowed, and an increase in building height to allow up to five stories.

File #: 2018-7034

Location: 510 and 528 S. Mathilda Ave. (APNs: 209-29-060 and 061) and 562 and 566 S. Mathilda Ave. (APNs: 209-29-057 and 067)

Zoning: DSP (Block 20)

Applicant / Owner: SiliconSage Builders, LLC (applicant and owner 562 and 566 S. Mathilda Ave.) and Shawn Karimi (applicant and owner 510 and 528 S. Mathilda Ave.)

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(a).

Project Planner: Cindy Hom, (408) 730-7411,  
chom@sunnyvale.ca.gov

- Recommendation:** Alternative 1: Initiate a Downtown Specific Plan Amendment study to consider amending the Downtown Specific Plan and provide direction to study/coordinate:
- a) Entire Block 20
  - b) Change to Primary Uses land use designation from High Density Residential/Office to Mixed Use;
  - c) Increase in maximum number of residential units, before any allowed density bonuses from 51 to 103 and densities no greater than the DSP Transit Mixed Use Designation (65 units to the acres);
  - d) Increase in maximum office/commercial area from 16,400 square feet to 36,500 square feet;
  - e) No increase in height limit;
  - f) Updated development standards and design guidelines for proposed changes;
  - g) Traffic analysis, market and fiscal analyses, environmental, public infrastructure and utility capacity, and parking, etc.; and,
  - h) Community outreach and engagement.
  - i) Revise design standards to ensure good architectural design and detailing, specifically at the ground floor pedestrian level (added by the Planning Commission)
  - j) Improve the overall streetscape design on Mathilda frontage along Block 20, including sidewalk width, tree wells, and plant selection to accommodate estate size trees and tree shading (added by the Planning Commission).

- 5      [18-0098](#)      Authorization to Establish a Pension Trust Fund, Authorize the City Manager to Negotiate and Execute an Agreement with PFM Asset Management, LLC, and U.S. Bank National Association for the Sunnyvale Post-Employment Pension and Retiree Healthcare Benefits Program, Authorize the City Manager or his/her designee to serve as the Benefits Administrator, and Adopt an Investment Policy Statement for the Pension Trust Fund

**Recommendation:** Alternative 1: 1) Approve a Pension Trust Fund, 2) Authorize the City Manager to Negotiate and Execute an Agreement with PFM Asset Management, LLC, and U.S. Bank National Association for the Sunnyvale Post-Employment Pension and Retiree Healthcare Benefits Program in substantially the same form as Attachment 1 to the report, 3) Authorize the City Manager or his/her designee to serve as the Benefits Administrator, and 4) Adopt an Investment Policy Statement for the Pension Trust Fund in substantially the same form as Attachment 2 to the report

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

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

-Council

-City Manager

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

- [18-0373](#)      Tentative Council Meeting Agenda Calendar
- [18-0319](#)      Information/Action Items
- [18-0453](#)      Study Session Summary of April 24, 2018 - El Camino Real Corridor Specific Plan - Presentation of Preliminary Development Standards/Design Guidelines

#### **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 on the City website at [sunnyvale.ca.gov](http://sunnyvale.ca.gov).*

**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.*