



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, July 14, 2015

5:45 PM

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

Special Meeting: Study Session- 5:45 PM | Regular Meeting- 7 PM

5:45 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

[15-0614](#)

Board and Commission Interviews

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

PUBLIC ANNOUNCEMENTS

Each speaker is limited to three minutes for announcements of community events, programs, or recognition.

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 [15-0581](#) Approve City Council Meeting Minutes of June 23, 2015

Recommendation: Approve the City Council Meeting Minutes of June 23, 2015 as submitted.

1.B [15-0654](#) 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 [15-0620](#) Approve Budget Modification No. 2 for \$187,000 to Fund the Website Redesign Project

Recommendation: Approve Budget Modification No. 2 for \$187,000 to fund the Website Redesign Project, including staffing, professional services, and the contract with Civica for a vendor-provided and hosted Content Management System (CMS) and new website.

PUBLIC COMMENTS

This category 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 three minutes per speaker. If your subject is not on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. 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.

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 [15-0207](#) Introduce an Ordinance and Adopt Two Resolutions to Approve Two New Affordable Housing Impact Fees: Housing

Impact Fee for Nonresidential Development and Housing Impact Fee for Rental Housing; Find that the Project is Exempt from Environmental Review Pursuant to CEQA Guideline 15378(b)(4)

Recommendation: Alternative 1: Find that the Project is Exempt from Environmental Review Pursuant to CEQA Guideline 15378(b)(4); and Introduce the Proposed Ordinance and Fee Resolutions establishing the Housing Impact Fees for Nonresidential Development and Housing Impact Fee for Rental Housing, as provided in Attachments 1, 2, and 3 to the report.

- 3 [15-0421](#) Approve Actions Needed to Move Forward with Developing and Launching a Multi-Jurisdictional Community Choice Energy Program in the South Bay, and Finding that these Actions are Exempt from CEQA

Recommendation: Alternatives 1, 2, 3, 4 and 5: 1) Accept the Assessment Report, The Potential for CCE in the Heart of Silicon Valley, in response to Study Issue ESD 14-02; 2) Direct staff to proceed with the Technical Study phase, including community engagement and development of JPA formation documents; 3) Delegate authority to the City Manager to negotiate and execute a multi-jurisdictional agreement to continue the Silicon Valley CCE Partnership; 4) Delegate authority to the City Manager to procure and execute individual service agreements and associated amendments in amounts that may exceed \$100,000, so long as the total of Sunnyvale's financial commitment for all issued contracts does not exceed the appropriation limit of \$500,000; and 5) Find that the above actions are exempt from CEQA.

- 4 [15-0537](#) Approve the Purchase and Sales Agreement Between the City of Sunnyvale and Toll Brothers Incorporated for the Purchase of Four Privately-Owned Properties located at 396 and 402 Charles Avenue, and 397 and 403 Mathilda Avenue; Find CEQA Exemption Pursuant to Guideline 15061(b)(3); and Approve Budget Modification No.1 to Appropriate Funding

Recommendation: Alternatives 1 and 2: 1) Approve the Purchase and Sales Agreement between the City of Sunnyvale and Toll Brothers Incorporated for the purchase of four privately-owned properties at 396 and 402 Charles Avenue, 397 and 403 Mathilda Avenue in substantially the same form attached hereto; Find that the project is exempt from CEQA pursuant to Guideline 15061(b)(3); and approve Budget Modification No. 1 to appropriate \$4.6 million from the General Fund Capital Improvement Projects Reserve to a new project to fund the purchase of these four privately-owned properties, including closing costs, title insurance, relocation services, and relocation assistance (pursuant to Government Code 7260 et seq.); and, 2) Authorize the City Manager to execute all implementing documents, including relocation transactions, close escrow and complete the sales transaction.

- 5 [15-0365](#) Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Assessment, and Levy Annual Assessment for The Downtown Parking Maintenance District Assessment for Fiscal Year 2015/16

Recommendation: Alternative 1: Adopt the resolution to approve the final Engineer's report, to confirm the assessment, and levy annual assessment for the Downtown Parking Maintenance District assessment for FY 2015/16.

- 6 [15-0507](#) Adopt a Resolution to Vacate Four Public Utility Easements at 520-592 East Weddell Drive and the Lands of the City and County of San Francisco

Recommendation: Alternative 1: Adopt a Resolution to Vacate four Public Utility Easements at 520-592 East Weddell Drive and the Lands of the City and County of San Francisco and authorize the City Clerk to submit a certified copy of the resolution to the Santa Clara County Recorder's Office.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- [15-0497](#) Tentative Council Meeting Agenda Calendar
- [15-0656](#) Information/Action Items
- [15-0695](#) Board/Commission Resignation (Information Only)
- [15-0698](#) Study Session Summary of May 12, 2015 - Regulating Short-term Residential Rental Units (Study Issue) - Joint Study Session with Planning Commission
- [15-0587](#) 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.