



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, March 25, 2014

5:30 PM

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

Special Meeting-Closed Sessions-5:30 P.M. | Regular Meeting-7 P.M.

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

[14-0363](#)

Closed Session held pursuant to California Government Code
Section 54956.9:
CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Yoshida vs. City of Sunnyvale
Case No. 1-11-CV-197643

[14-0365](#)

Closed Session held pursuant to California Government Code
Section 54957:
PUBLIC EMPLOYMENT, Title: City Manager
and
Closed Session held pursuant to California Government Code
Section 54957.6:
CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representatives: Council subcommittee:
Mayor Griffith, Councilmembers Martin-Milius and Larsson;
Unrepresented employee: City Manager

[14-0371](#)

Closed Session held pursuant to California Government Code Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Teri Silva, Director of Human Resources and Robert Walker, Interim City Manager
Employee Organization: Sunnyvale Management Association
Employee Organization: Service Employees International Union, Local 521

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 REPORTS

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 [14-0039](#) Approval of City Council Meeting Minutes of March 18, 2014

Recommendation: Approve the City Council Meeting Minutes of March 18, 2014 as submitted.

- 1.B [14-0321](#) 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 [14-0248](#) Approval of the Final Map (Tract No. 10196) - 16 Residential Condominium Units at 1175 Willow Avenue by Taylor Morrison of California, LLC

Recommendation: Approve the final map for Tract No. 10196; authorize the Mayor to sign the subdivision agreement upon submittal of other documents deemed necessary by the Director of Public Works; direct the City Clerk to sign the City Clerk's Statement and forward the final map for recordation.

- 1.D [14-0278](#) Approval of the Final Map (Tract No. 10211) - 47 Condominium Units at 470 Persian Drive by KB Home South Bay, Inc.

Recommendation: Approve the final map for Tract No. 10211; authorize the Mayor to sign the subdivision agreement upon submittal of other documents deemed necessary by the Director of Public Works; direct the City Clerk to sign the City Clerk's Statement and forward the final map for recordation.

- 1.E [14-0316](#) Adoption of Ordinance No. 3035-14 Amending Title 9, Chapter 9.28 of the Sunnyvale Municipal Code to Prohibit the Use of Electronic Smoking Devices Wherever Smoking is Prohibited

Recommendation: Adopt Ordinance No. 3035-14.

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 [14-0037](#) File #: 2013-7240
Location: 610 E. Weddell Drive (APN: 110-28-001) and
520-550 E. Weddell Drive (110-14-190 and 191).
Proposed Project: Consideration of an environmental
document prepared for related applications for development of
a 4.04 acre site at 610 E. Weddell Drive and a 12.04 site at
520-550 E. Weddell Drive.
CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT
REPORT (FEIR) East Weddell Residential Projects
Applicants / Owner: Sares-Regis Group (610 E. Weddell
Drive) and Raintree Partners (520 - 550 E. Weddell Drive)
Environmental Review: An Environmental Impact Report (EIR)
has been prepared in compliance with California
Environmental Quality Act provisions and City Guidelines.

Recommendation: Alternative 1: Certify the Environmental Impact Report and
Approve two Resolutions of Findings and Adopting the MMRP
for 610 E. Weddell Drive and 520-550 E. Weddell Drive
(Attachments 6 and 7).
Staff finds that the Final EIR complies with the requirements of
the California Environmental Quality Act and meets the
standards for legal adequacy. Staff makes no
recommendation on the requested modifications requested by
Adams Broadwell et al.

3 [14-0038](#)

File #: 2013-7081 & 2013-7132

Location: 610 E. Weddell Drive (APN: 110-28-001) and 520-550 E. Weddell Drive (110-14-190 & 191).

Proposed Project: Discussion and possible actions on: GENERAL PLAN AMENDMENT to change the land use designation from Industrial to Residential High Density for 610 E. Weddell Drive and 520 E. Weddell Drive (Parcel B only); REZONING Introduction of Ordinances to Rezone from MS-PD (Industrial & Service/Planned Development for 610 E. Weddell Drive and M-S/POA (Industrial & Service/Place of Assembly) for 520 E. Weddell Drive (Parcel B only) to R-4/PD (High Density Residential/Planned Development) for both properties.

Applicant / Owner: Sares - Regis Group (610 E. Weddell Drive); Raintree / Kohl (520-550 E. Weddell Drive)

Environmental Review: An Environmental Impact Report (EIR) has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines.

Recommendation: Alternatives: 1.a. and b., 2.a. and b. and 3.

1. For 610 E. Weddell Dr.:

- a. Recommend to the City Council to Adopt the Resolution Amending the General Plan from Industrial to Residential High Density
- b. Recommend to the City Council to Introduce an Ordinance to Rezone from M-S/PD (Industrial and Service/Planned Development) to R-4/PD (High Density Residential/Planned Development)

2. For 520 E. Weddell Dr.:

- a. Recommend to the City Council to Adopt the Resolution Amending the General Plan from Industrial to Residential High Density
- b. Recommend to the City Council to Introduce an Ordinance to Rezone from M-S/POA (Industrial and Service/Place of Assembly) to R-4/PD (High Density Residential/Planned Development)

3. Extend the Boundaries of the Tasman / Fair Oaks Area Pedestrian and Bicycle Circulation Plan area to include 520 E. Weddell Dr. and 610 E. Weddell Dr.

- 4 [14-0042](#) Approval of a Pilot Project for the Installation of Light Emitting Diode Streetlights and Budget Modification No. 34

Recommendation: Alternative 1: Direct staff to conduct a pilot project for residential neighborhoods to install LED fixtures in several residential areas and approve Budget Modification No. 34 to provide funding in the amount of \$10,000 to purchase and install the demonstration fixtures. Direct staff to solicit input from the public to gauge illumination levels and overall acceptance of the new LED lighting levels and light color.

- 5 [14-0263](#) Approve the 2013 Annual Progress Report on Implementation of the General Plan's Housing Element

Recommendation: Alternative 1: Approve the Annual Progress Report on implementation of the Housing Element as provided in Attachment 1.

- 6 [14-0186](#) File #: 2012-8014
Location: 645 Almanor Ave. (APN: 165-44-004, -005, -008, -009, -010, -011)
Proposed Project: Discussion and Possible Action to:
REZONE from M-S (Industrial and Service) to M-S/FAR 100 (Industrial and Service/100% FAR)
DESIGN REVIEW to allow construction of a 6-story, 172,675 square foot office R&D building at 100% Floor Area Ratio (FAR) and serviced by a new 5-level parking structure
Applicant / Owner: Arctec Inc. / St. Jude Medical
Environmental Review: A Mitigated Negative Declaration has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines.

Recommendation: Alternative 1, Adopt the Mitigated Negative Declaration; Alternative 3, Introduce an ordinance to Rezone the six parcels comprising the site from M-S (Industrial and Service) to M-S/100FAR (Industrial and Service/100% FAR) as contained in the Findings in Attachment 4 and Draft Ordinance in Attachment 5; and, Alternative 5, Approve the Design Review as indicated in the Site and Architectural Plans in Attachment 8, Findings of Approval in Attachment 3 and Conditions of Approval in Attachment 4 (including Planning Commission recommendations).

- 7 [14-0209](#) Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Baylands Storm Pump Station No. 2 Rehabilitation Project

Recommendation: Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Baylands Pump Station No. 2.

- 8 [14-0228](#) Approve Budget Modification No. 33 for a Biological Constraints and Opportunities Analysis for the Sunnyvale Landfill and Baylands Park

Recommendation: Approve Budget Modification No. 33 to appropriate \$50,000 to complete a Biological Constraints and Opportunities Analysis of Baylands Park and the Sunnyvale Landfill.

- 9 [14-0264](#) Award of Contract for Program Management and Related Services for the Reconstruction of the Water Pollution Control Plant (F14-05)

Recommendation: 1. Award a contract, in substantially the same format as the attached draft and in an amount not to exceed \$6,166,807, to CDM Smith for Program Management Core Services, and authorize the City Manager to execute the contract when all the necessary conditions have been met;
2. Approve an amount not-to-exceed \$2,480,000 for Additional Reconstruction Program Tasks; and
3. Approve a 5% project contingency in the amount of \$308,340.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

[14-0028](#) Tentative Council Meeting Agenda Calendar

[14-0216](#) Information/Action Items

- [14-0347](#) Appointment of Replacement Members to the Lawrence Station Area Plan Citizen Advisory Group (Information Only)
- [14-0219](#) Draft Minutes of the Housing and Human Services Commission Meeting of February 26, 2014

ADJOURNMENT

NOTICE TO THE PUBLIC

The agenda reports to council (RTC's) 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/Planning Commission meeting?

To assist you in utilizing the technology available in the Council Chambers, the publication "How to Make Your Council Chamber Presentation More Effective" may be helpful. The document is available on the City Web site at sunnyvale.ca.gov.

Planning to present 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.