



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, April 8, 2014

5:15 PM

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

Special Meetings-Closed Session-5:15 PM | Study Session-6 P.M. |
Regular Meeting-7 P.M.

5:15 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

[14-0384](#)

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

5 Adjourn Special Meeting

6 P.M. SPECIAL COUNCIL MEETING (Study Session)

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

2 Roll Call

3 Study Session[14-0294](#)

Discussion of Proposed Office Campus by Landbank Investments at Wolfe and Arques

4 Public Comment**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 ORDERS OF THE DAY**[14-0171](#)

SPECIAL ORDER OF THE DAY - National Library Week

[14-0358](#)

SPECIAL ORDER OF THE DAY - National Crime Victims' Rights Week

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 [14-0326](#) Approval of City Council Meeting Minutes of March 25, 2014

Recommendation: Approve the City Council Meeting Minutes of March 25, 2014 as submitted.

- 1.B [14-0362](#) 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 [14-0092](#) Approve a Resolution Creating School Zone Speed Limits on Lakechime, Meadowlake, and Silverlake Drives near Lakewood Elementary School and Determine that the Action is Exempt from the California Environmental Quality Act

Recommendation: Approve the attached resolution establishing 15 mile per hour school zones on Lakechime Drive, Meadowlake Drive, and Silverlake Drive adjacent to Lakewood Elementary School per the requirements of the California Vehicle Code.

- 1.D [14-0222](#) Award of Bid No.PW14-05 for Concrete Sidewalks, Curbs, Gutters, and Driveway Approaches - 2014, Approval of Budget Modification No. 30, and Finding of CEQA Categorical Exemption

Recommendation: 1.) Award a contract, in substantially the same format as Attachment 2 and in the amount of \$586,554, to Spenco Construction, Inc., for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; 2.) Approve a 10% construction contingency in the amount of \$58,655; 3). Approve Budget Modification No. 30 to appropriate an additional \$405,209 to Project 829400 (Sidewalk, Curb and Gutter Replacement) from the Infrastructure Contingency Reserve in the City's Infrastructure Renovation and Replacement Fund; and 4.) Make a finding that the project is categorically exempt from CEQA pursuant to Class 1, Section 15301 for the rehabilitation of existing facilities.

- 1.E [14-0257](#) Approve Budget Modification No. 35 to Appropriate Funds for a Water and Wastewater Engineering Fee Study and Re-prioritize Funding for Water Pollution Control Plant Capital Projects

Recommendation: Approve Budget Modification No. 35 to appropriate funds for a water and wastewater engineering fee study and re-prioritize Water Pollution Control Plant capital projects.

- 1.F [14-0119](#) Approve 2014 Board and Commission Master Work Plans

Recommendation: Approve the 2014 master work plans as submitted.

- 1.G [14-0389](#) Adoption of Ordinance No. 3036-14 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone Certain Property Located at 520 E. Weddell Drive from M-S/POA (Industrial And Service/ Place of Assembly) to R-4/PD (High Density Residential/ Planned Development) Zoning District

Recommendation: Adopt Ordinance No. 3036-14.

- 1.H [14-0392](#) Adoption of Ordinance No. 3037-14 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone Certain Property Located at 610 E. Weddell Drive from M-S/PD (Industrial And Service/ Planned Development) to R-4/PD (High Density Residential/ Planned Development) Zoning District

Recommendation: Adopt Ordinance No. 3037-14.

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 [14-0256](#) Authorize the City Manager to Enter into an Agreement with the Irvine Company for Construction of a Tot Lot at Swegles Park and Adopt a Finding of Categorical Exemption Under CEQA Guideline 15303.

Recommendation: Alternative No.1: Direct the City Manager to enter into an agreement with the Irvine Company for construction of a tot lot at Swegles Park.

- 3 [14-0200](#) File #: 2013-7542
Location: 420 S. Pastoria Ave. (APN: 165-04-002)
Proposed Project: Appeal by a resident of a Decision of the Planning Commission Approving a Special Development Permit for a Child Care Center for up to 188 students located at 420 S. Pastoria Ave.
Applicant / Owner: Teresa Lai / Distel LP
Environmental Review: Negative Declaration

Recommendation: Alternative 1: Deny the appeal and uphold the decision of the Planning Commission to approve the Special Development Permit with updated conditions listed in Attachment 4.

- 4 [14-0133](#) File #: 2013-7860
Location: 479 N. Pastoria Avenue (APN: 165-30-002):
Proposed Project: Consideration of an application for a 2.17-acre site:
USE PERMIT to allow a new 52,394 square foot, 4-story office/R&D building (with surface and underground parking) resulting in approximately 55% Floor Area Ratio.
Applicant / Owner: ArchiRender Architects / Peery-Arrillaga
Environmental Review: Mitigated Negative Declaration

Recommendation: Alternative 1: Adopt the Mitigated Negative Declaration and approve the Use Permit with the Conditions of Approval in Attachment 4 (including the Planning Commission additions).

- 5 [14-0190](#) Introduce an Ordinance to Amend Chapter 19.32 of Title 19 of the Sunnyvale Municipal Code to Modify the Height Requirements for the R-3 (Medium Density Residential) Zoning District (Non-Townhouse), (Study Issue, 2013-7143), and a Finding that the Proposed Ordinance is Exempt from the Requirements of the California Environmental Quality Act (CEQA) Pursuant to CEQA Guideline 15061(b)(3)

Recommendation: Alternatives 1, 2, and 3 - find that the Project is exempt from CEQA, introduce an ordinance (Attachment 2) to amend Chapter 19.32 of Title 19 of the Sunnyvale Municipal Code to modify the height limit for non-townhouse style development within the R-3 zoning district to match the standard for townhouse style developments (3 stories, 35 feet) and modify the underground parking height incentive to include R-3 projects, and incorporate the new Design Guidelines (Attachment 3) into the Citywide Design Guidelines.

- 6 [14-0303](#) Approve the Downtown Sunnyvale Business Improvement District (BID) Annual Report for Fiscal Year 2013/2014 and Adopt Resolution of Intention to Reauthorize BID for Fiscal Year 2014/2015

Recommendation: Alternative 1: Approve the Fiscal Year 2013/2014 BID Annual Report without approving matching funds from the City's General Fund budget, adopt the Resolution of Intention, and schedule a public hearing for May 6, 2014 to reauthorize the Business Improvement District for Fiscal Year 2014/2015.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- [14-0131](#) Tentative Council Meeting Agenda Calendar

- [14-0375](#) Information/Action Items
- [14-0177](#) Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of March 20, 2014
- [14-0370](#) Draft Minutes of the Parks and Recreation Commission Meeting of March 12, 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.