



# City of Sunnyvale

## Notice and Agenda

### City Council

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Tuesday, July 15, 2014

6:00 PM

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

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**Special Meeting- Closed Sessions-6 PM | Regular Meeting-7 PM**

#### **6 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**

- a**     [14-0667](#)     Closed Session held pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: Teri Silva, Director of Human Resources; Deanna J. Santana, City Manager  
Employee organization: Sunnyvale Managers Association  
Employee organization: Service Employees International Union, Local 521

- b**      [14-0656](#)      Closed Session held pursuant to California Government Code Section 54956.8: CONFERENCE WITH REAL PROPERTY NEGOTIATORS
- City Properties: Assessor's Parcel Numbers (APNs)  
16540001, 16539015, 16540001, 16539015, 16056004, 16056004, 11029035, 16136026, 20534007, 20534012, 16504019, 16503007, 16502002, 16502001, 16502003, 16502005, 16504001, 16504020, 20921001, 20917001, 20236011, 21347009, 32604073 and 32321038 (see attached map)
- Agency negotiator: Deanna J. Santana, City Manager; Robert Walker, Assistant City Manager
- Negotiating parties: Google Inc. (Google Fiber Project)
- Under negotiation: Price and terms of payment

## **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**

### **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 [14-0578](#) Approval of City Council Meeting Minutes of June 24, 2014

**Recommendation:** Approve the City Council Meeting Minutes of June 24, 2014 as submitted.

- 1.B [14-0646](#) 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 [14-0628](#) Approve Budget Modification No. 1 to Appropriate \$1,715 of Department of Homeland Security, State Homeland Security Grant Program Funds for Crime Analyst Training

**Recommendation:** Approve Budget Modification No. 1 to appropriate \$1,715 of Department of Homeland Security, State Homeland Security Grant Program Funds for Training to a new project, FY 2013 SHSGP - Training - IACA Conference.

- 1.D [14-0629](#) Approve Budget Modification No. 2 to Appropriate \$100,000 of Emergency Management Performance Grant Funds for a North County Emergency Operations Plan

**Recommendation:** Approve Budget Modification No. 2 to appropriate \$100,000 of Emergency Management Performance Grant Funds for a North County Emergency Operations Plan to a new project, FY 2014/15 EMPG - North County Emergency Operations Plan.

- 1.E [14-0647](#) Award of Contract for Crushed Granite (F14-71)

**Recommendation:** Award a contract, in substantially the same format as the attached draft Blanket Purchase Order and in an amount not-to-exceed \$235,000, to Graniterock Company for the subject project.

- 1.F [14-0659](#) Award of Contract for an Inductively Coupled Plasma-Mass Spectrometry System for the Water Quality Laboratory at the Water Pollution Control Plant (F14-68)

**Recommendation:** Approve the award of a contract in the amount of \$165,533 to Agilent Technologies Inc., excluding sales tax, in substantially the same form as the attached draft purchase order, to furnish an Inductively Coupled Plasma-Mass Spectrometry System, as required by the Environmental Services Department.

- 1.G [14-0665](#) Re-Appoint David Simons to the Santa Clara Valley Transportation Authority (VTA) Bicycle and Pedestrian Advisory Committee

**Recommendation:** Re-appoint David Simons to the VTA BPAC for a two-year term.

- 1.H [14-0672](#) Adoption of Ordinance No. 3041-14 Amending Chapter 12.34 (Water Conservation Restrictions) of Title 12 (Water and Sewers)

**Recommendation:** Adopt Ordinance No. 3041-14.

## **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      [14-0663](#)      Adopt a Resolution to Approve the Annual Engineer's Report, Confirm the Assessment, and Levy Annual Assessment for the Downtown Parking Maintenance District Assessment for Fiscal Year 2014/15

**Recommendation:** Alternative 1: Adopt the resolution to approve the annual Engineer's report, to confirm the assessment, and levy annual assessment for the Downtown Parking Maintenance District assessment for FY 2014/15.

- 3      [14-0657](#)      2014-7023: Introduce an Ordinance Amending Chapter 19.44 (Signs) of Title 19 (Zoning) of the Sunnyvale Municipal Code relating to Temporary Non-Commercial Message Signs; Find the Project exempt from CEQA pursuant to CEQA Guideline 15061(b)(3)

**Recommendation:** Alternatives 1 and 2: 1) Find that the project is exempt from CEQA pursuant to CEQA Guideline 15061(b)(3); and 2) Introduce an ordinance to amend the sign regulations in Chapter 19.44 of Title 19 (Zoning) of the Sunnyvale Municipal Code (Attachment 2), to clarify where temporary non-commercial signs can be placed in residential and non-residential zones.

- 4      [14-0029](#)      Power Purchase Agreements for Alternative Energy Allocation (Study Issue) - Pursue Solar Energy Solutions and Approve Budget Modification No. 4

**Recommendation:** Recommend that Council Adopt Alternatives 1, 2 and 4: Direct staff to complete appropriate environmental review of the proposed installations at the selected sites and return for final approval; direct staff to pursue solar energy solutions through an RFP for PPAs and Direct Purchase for the four recommended sites; and approve Budget Modification No. 4 to appropriate \$40,000 for additional technical services to support the project.

- 5      [14-0579](#)      File #: 2013-7860  
Location: 479 N. Pastoria Avenue (APN: 165-30-002):  
Zoning: M-S (Industrial and Service) Zoning District  
Proposed Project: Consideration of an application for a  
2.17-acre site:  
USE PERMIT to allow a new 52,394 square foot, four-story  
office/R&D building and a two-level parking structure 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.

- 6      [14-0593](#)      State of California Department of Water Resources 2014  
Drought Grant Solicitation - Adopt the 2013 Bay Area  
Integrated Regional Water Management Plan, Direct Staff to  
Complete the Grant Application Process and to Return to  
Council with Recommendations on Funding Strategy and  
Consultant Selection for Design Services for the Project

**Recommendation:** Alternatives 1, 2, and 3:

1. Adopt the attached resolution adopting the Bay area IRWMP.
2. Direct staff to complete the grant application process.
3. Direct staff to return to Council with a funding strategy, and proposed budget modifications, for the project and a recommendation for consultant selection for the design services.

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

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

-Council

-City Manager

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

- [14-0566](#) Tentative Council Meeting Agenda Calendar
- [14-0509](#) Information/Action Items
- [14-0675](#) Cold Weather Shelter Update (Information Only)
- [14-0567](#) Board/Commission Meeting Minutes

## **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](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 35.106 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](http://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](http://CouncilMeetings.inSunnyvale.com) for upcoming Council meeting information.*

*Visit [BoardsandCommissions.inSunnyvale.com](http://BoardsandCommissions.inSunnyvale.com) for upcoming board and commission meeting information.*

*For a complete schedule of KSUN-15 Council meeting broadcasts, visit [KSUN.insunnyvale.com](http://KSUN.insunnyvale.com).*