



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, August 12, 2014

5:00 PM

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

Special Meetings- Closed Session-5 PM | Study Session-6 PM | Regular Meeting-7PM

5 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

[14-0724](#)

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
Unrepresented Employees

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

[14-0395](#)

Council Meeting Protocol and Efficient Council Meetings

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****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 [14-0542](#) Approve City Council Meeting Minutes of July 29, 2014

Recommendation: Approve the City Council Meeting Minutes of July 29, 2014 as submitted.

- 1.B [14-0747](#) 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 [14-0530](#) Approve Budget Modification No. 9 to appropriate \$5,300 of LSTA (Library Services and Technology Act) grant funds for the project BALE (Bay Area Library ePublishers)

Recommendation: Approve Budget Modification No. 9 to appropriate California State Library grant funds in the amount of \$5,300 to a new project, BALE (Bay Area Library ePublishers).

- 1.D [14-0707](#) Award of Bid No. PW14-12 for Sanitary Sewer Lift Stations Rebuild (Rebid), Finding of CEQA Categorical Exemption 15301 (Rehabilitation of Existing Facilities) and Approval of Budget Modification No. 8

Recommendation: 1) Award a contract, in substantially the same format as Attachment 2 and in the amount of \$999,900, to Koch & Koch, 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 \$99,990; 3) Make a finding of CEQA categorical exemption 15301(a), rehabilitation of existing facilities, for the project; and 4) Approve Budget Modification No. 8 to provide additional funding for the project.

- 1.E [14-0696](#) Authorize Modification of an Existing Contract and Award of Contract for Chronic Toxicity Testing Services at the Water Pollution Control Plant (F14-102)

Recommendation: 1) Approve modification to an existing contract with Pacific Eco-Risk to increase the not-to-exceed amount value by \$25,000, to a total of \$505,000; 2) Award a three-year contract to Pacific Eco-Risk in an amount not-to-exceed \$284,460; and 3) Delegate authority to the City Manager to extend the contract for a an additional two-year period in an amount not-to-exceed \$220,540, provided that pricing and service remain acceptable to the City.

- 1.F [14-0737](#) Receive and File the City of Sunnyvale Investment Report - 2nd Quarter 2014

Recommendation: Receive and file the City of Sunnyvale FY 2013/14 Period 13 Investment Report (Attachment 1)

- 1.G [14-0728](#) Adopt a Resolution Authorizing the Bay Area Water Supply and Conservation Agency (BAWSCA) to Initiate, Defend, and Settle Arbitration Related to the Water Supply Agreement (WSA) with the City and County of San Francisco

Recommendation: Adopt the Resolution, presented as Attachment 1, Authorizing the Bay Area Water Supply and Conservation Agency to Initiate, Defend, and Settle Arbitration Related to the Water Supply Agreement with the City and County of San Francisco.

- 1.H [14-0744](#) Appoint New Members to the NOVA Workforce Board

Recommendation: Appoint Ms. Madeleine Case and Ms. Katherine Harasz to the NOVA Workforce Board.

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 [14-0767](#) Request for Continuation of 2014 Quarterly Consideration of
General Plan Amendment Initiation Requests

FILE #: 2014-7357

Location: 539 E. Weddell Drive (APN: 110-14-158)

Proposed Project: GENERAL PLAN AMENDMENT
INITIATION Request to study a General Plan designation
change from Industrial to Public Facility or other designation
that would accommodate a child care center use (pre-school).
Study may include other properties in the vicinity and evaluate
other General Plan designations.

Applicant / Owner: New Hope International Church

FILE #: 2014-7364

Location: 210 W. Ahwanee Avenue (APN: 204-03-003)

Proposed Project: GENERAL PLAN AMENDMENT
INITIATION Request to study a General Plan designation
change from Industrial to Medium Density Residential (14-27
d.u. per acre). Study may include other properties in the
vicinity and evaluate a range of General Plan residential
designations.

Applicant / Owner: Saeed Erfan

FILE #: 2014-7304

Location: 1024, 1026, 1028-1030, 1034-1038, 1042, 1058
and 1052-1078 W. Evelyn Avenue (161-35-008,-007,-006,-
005, -004, 003, and -002)

Proposed Project: GENERAL PLAN AMENDMENT
INITIATION Request to study a General Plan designation
change from Industrial to Medium Density Residential (14-27
d.u. per acre). Study may include other properties in the
vicinity and evaluate a range of General Plan residential
designations.

Applicant / Owner: Alto View Properties/John Travis

Recommendation: In order to balance the Council agenda of August 12, 2014
staff requests continuance of this item to August 26, 2014.

- 3 [14-0726](#) Approve a Resolution of Local Support Combatting Human Trafficking

Recommendation: Alternatives 1 and 2: 1) Approve the proposed resolution, as presented in Attachment 1, to combat the crime of human trafficking; and 2) Adopt the LAP as presented in this report.

- 4 [14-0745](#) Adopt Memorandum of Understanding between the City of Sunnyvale and the Service Employees International Union, Local 521 (SEIU) 2014-2017 and the corresponding Resolution to Amend the City's Salary Resolution and the Resolution for Paying and Reporting the Value of Employer Paid Member Contributions

Recommendation: Alternative 1: Adopt the Memorandum of Understanding between the City of Sunnyvale and the Service Employees International Union, Local 521, presented as Attachment 3, and the corresponding Resolution amending the City's Salary Resolution, presented as Attachment 4, and the Resolution for Paying and Reporting the Value of Employer Paid Member Contributions, presented as Attachment 5.

- 5 [14-0337](#) Authorize Submittal of Draft 2015-2023 Housing Element to California Department of Housing and Community Development (HCD) for Review

Recommendation: Alternative 1: Authorize staff to submit the draft Housing Element as presented in Attachment 2 to HCD for review.

- 6 [14-0584](#) Adopt a Resolution to Update the Green Building Program for Residential Projects, Non-Residential Projects and Public Facilities

Recommendation: Alternative 1: Adopt the Resolution in Attachment 1 to Update the Green Building Tables for Residential Buildings, Non-Residential Projects, and Public Facilities.

- 7 [14-0587](#) File #: 2014-7117
Location: 815 W. Maude Ave. (APN: 165-41-033):
Zoning: M-S (Industrial and Service) Zoning District
Proposed Project: Consideration of an application for a
0.97-acre site:
USE PERMIT to allow a new 23,340 square foot, three-story
office/R&D building resulting in approximately 55% Floor Area
Ratio (project modified and Variance no longer required).
Applicant / Owner: ArchiRender Architects / Fregida, LLC
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.

- 8 [14-0733](#) Discussion and Possible City Council action on a Temporary
Cold Weather Shelter for the 2014 Winter and Options for
Council Consideration

Recommendation: Alternative 1: Provide direction to staff regarding each
decision point listed above.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- [14-0590](#) Tentative Council Meeting Agenda Calendar
- [14-0641](#) Information/Action Items
- [14-0721](#) Plan for Achieving 15 Percent Water Reduction in Parks,
Including Anticipated Impact on Appearance and Functionality
of Parks (Information Only)
- [14-0634](#) 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 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.