



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, October 14, 2014

5:00 PM

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

**Special Meetings-5 PM City Council Closed Session and Joint Closed Session with
Successor Agency to the Redevelopment Agency | Regular Meeting- 7 PM**

5 P.M. SPECIAL COUNCIL MEETING (Closed Sessions)

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

[14-0814](#)

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: Communication Officers Association
Employee organization: Sunnyvale Managers Association

[14-0932](#)

JOINT CLOSED SESSION WITH SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY

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)

Successor Agency to the Redevelopment Agency of the City
of Sunnyvale v. Matosantos, Case No. 34-2013-80001499
Santa Clara County Office of Education v. Successor Agency,
Case No. 34-2013-80001627

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

SPECIAL ORDER OF THE DAY

- | | |
|--------------------------------|--|
| <u>14-0973</u> | SPECIAL ORDER OF THE DAY - Recognition of Rotary International's World Polio Day |
| <u>14-0929</u> | SPECIAL ORDER OF THE DAY - National Breast Cancer Awareness Month |
| <u>14-0305</u> | SPECIAL ORDER OF THE DAY - Fire Poster Safety Contest Award Winners |

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 [14-0033](#) Approve City Council Meeting Minutes of September 30, 2014

Recommendation: Approve the City Council Meeting Minutes of September 30, 2014 as submitted.

- 1.B [14-0968](#) 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 [14-0851](#) Adopt Resolutions Approving Amendments to the City's Contribution for CalPERS Medical Insurance for Management, SEA/Confidential and SEIU Annuitants (Retirees)

Recommendation: Adopt the resolution amending the City's contribution for medical insurance with CalPERS in compliance with PEMHCA, as well as the SEA and SEIU Memoranda of Understanding, and to amend the Salary Resolution to reflect the change in contribution for Management, SEA/Confidential and SEIU annuitants.

- 1.D [14-0884](#) Award of Bid No. PW15-05 for Park Tennis and Basketball Resurfacing Project and Finding of CEQA Categorical Exemption

Recommendation: 1) Award a contract, in substantially the same format as Attachment 2 and in the amount of \$190,499, to Dryco 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 \$19,050, and 3) Make a finding of CEQA Categorical Exemption pursuant to Section 15301(d), rehabilitation of an existing public facility with no expansion of use.

- 1.E [14-0949](#) Authorize Modification of an Existing Contract for Commonly Used Office Supplies (F15-27)

Recommendation: Authorize the extension of an existing contract with OfficeMax through June 30, 2015, not to exceed budgeted amounts, in substantially the same form as the draft blanket purchase order attached to the report.

- 1.F [14-0977](#) Adoption of Ordinance No. 3044-14 Amending Chapter 16.52 (Fire Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code

Recommendation: Adopt Ordinance No. 3044-14.

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 [14-0850](#) Adopt a Resolution Approving the Refinancing of the 2003 and 2007 Solid Waste Revenue Bonds

Recommendation: Alternative 1: Adopt the resolution, presented as Attachment 1, authorizing the execution and delivery of a loan agreement to refinance outstanding solid waste revenue obligations of the City, and approving related agreements and actions presented as Attachments 2 and 3.

- 3 [14-0694](#) Introduce an Ordinance to Add Chapter 3.70 (Minimum Wage) to Title 3 of the Sunnyvale Municipal Code to Require the Payment of a Citywide Minimum Wage; Find that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15061(b)(3); and Approve Budget Modification No.16.

Recommendation: Alternatives 1, 2 and 3: Introduce an ordinance, as presented in Attachment 1, to add Chapter 3.70 (Minimum Wage) to Title 3 of the Sunnyvale Municipal Code to require the payment of a citywide minimum wage; Find that the proposed ordinance is exempt from CEQA under CEQA Guideline 15061(b)(3); and Approve Budget Modification No. 16 to fund the hybrid enforcement model.

4 [14-0695](#)

File#: 2013-7525

Name: Landbank Central & Wolfe Campus

Location: Southeast corner of N. Wolfe Road and E. Arques Avenue

(APNs: 205-33-002, 205-33-005, 205-33-007, 205-33-009, 205-33-010, 205-33-011, 205-33-012, 205-33-013, and 205-33-014)

Proposed Project: Consideration of applications for a 17.84 acre site:

REZONING to change the zone from M-S to M-S/FAR 100%;
DESIGN REVIEW to allow the development of a 777,100 square foot, six story office complex and associated parking and onsite amenities;

VESTING TENTATIVE PARCEL MAP to consolidate the existing lots and street into a condominium subdivision, including the abandonment of Santa Ana Court; and
DEVELOPMENT AGREEMENT between the City of Sunnyvale and Landbank Investments, LLC.

Applicant/Owner: Scott Jacobs, Landbank Investments, LLC

Environmental Review: ENVIRONMENTAL IMPACT REPORT

Recommendation: Alternative 1: Adopt the Resolution to Certify the Environmental Impact Report and Make the Findings Required by CEQA, Adopt the Statement of Overriding Consideration and Mitigation Monitoring and Reporting Program, Introduce an Ordinance to Rezone the Property to M-S/100%FAR, Approve the Design Review and Vesting Tentative Parcel Map with Conditions of Approval in Attachment 4; and Introduce an Ordinance Approving a Development Agreement.

- 5 [14-0753](#) Adopt a Resolution Declaring City-Owned Residential Properties and Vacant Lots on Charles and Mathilda Avenue as Surplus Property and Authorizing for Sale the Subject Properties in Compliance with Government Code Section 54222

Recommendation: Alternatives 1 and 2: 1) Adopt a resolution declaring the City-owned properties located within Block 15 as surplus property for sale, and begin the public notice process as per Government Code section 54222; if any agencies offer to purchase the properties, begin good faith negotiations and return to Council for consideration; and 2) Proceed with the sale of the properties on the open market via a Request for Proposal process if no agencies respond to the offer for sale or price and terms cannot be agreed upon; work with the MTC regarding the Priority Development Area grant to help facilitate the sale and return to Council for consideration with viable offers to purchase the properties.

- 6 [14-0598](#) Adoption of Position on State and Local Ballot Measures for the November 4, 2014 Election

Recommendation: Alternative 1: Adopt the following positions on the ballot measures: a) Support Proposition 1, The Water Quality, Supply and Infrastructure Act of 2014; b) Oppose Proposition 47 regarding Criminal Sentences. Misdemeanor Penalties. Initiative Statute.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

[14-0156](#) Tentative Council Meeting Agenda Calendar

[14-0823](#) Information/Action Items

- [14-0725](#) Study Session Summary of September 30, 2014 - Review Performance Evaluation Tools for the City Manager and City Attorney
- [14-0769](#) Study Session Summary of September 30, 2014 - City's Criteria and Standards for Accepting Park Land Dedications
- [14-0036](#) Board/Commission 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.