



# City of Sunnyvale

## Notice and Agenda

### City Council

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Tuesday, November 11, 2014

3:45 PM

Sunnyvale Community Center Community  
Room, 550 E. Remington Dr. and Council  
Chambers, City Hall, 456 W. Olive Ave.,  
Sunnyvale, CA

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**Special Meetings- Closed Sessions-3:45 PM | Joint Study Session with Planning  
Commission and Bicycle and Pedestrian Advisory Commission-5:15 PM | Regular  
Meeting-7 PM**

#### **3:45 P.M. SPECIAL COUNCIL MEETING (Closed Sessions)**

**1 Call to Order in the Sunnyvale Community Center Community Room, 550 E.  
Remington Drive**

**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**

[14-1073](#)

Closed Session held pursuant to California Government Code  
Section 54957.6: CONFERENCE WITH LABOR  
NEGOTIATORS

Agency designated representatives: Deanna J. Santana, City  
Manager; Allison Suggs, Human Resources Manager  
Employee organization: Sunnyvale Managers Association

[14-1066](#)

Closed Session held pursuant to California Government Code Section 54956.8: CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Agency negotiator: Deanna J. Santana, City Manager; Kent Steffens, Assistant City Manager

Property: 396 Charles Avenue and 397 S. Mathilda Avenue, negotiator Paul Elkins (Trustee); 402 Charles Avenue, negotiator Christy Kramer (Trustee); 403 S. Mathilda Avenue negotiating parties Michael Sorci and Cynthia Sorci, (Trustees) of the John and Jolene Sorci (Trust),

Under negotiation: Price and terms of a potential purchase

## **5 Adjourn Special Meeting**

### **5:15 P.M. SPECIAL COUNCIL MEETING (Joint Study Session with Planning Commission and Bicycle and Pedestrian Advisory Commission)**

**1 Call to Order in the Sunnyvale Community Center Community Room, 550 E. Remington Drive**

**2 Roll Call**

**3 Public Comment**

**4 Study Session**

[14-0668](#)

El Camino Real Bus Rapid Transit

## **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, City Hall (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**    [14-0879](#)            Approve City Council Meeting Minutes of October 28, 2014

**Recommendation:** Approve the City Council Meeting Minutes of October 28, 2014 as submitted.

- 1.B**    [14-1083](#)            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**    [14-0666](#)            Approve Assignment and Assumption and Modification Agreements between Senior Housing Solutions, Sunnyvale Senior Homes LLC (an affiliate of Charities Housing), and the City of Sunnyvale Regarding Transfer of 1230 Klee Court and 1675 S. Wolfe Road in Sunnyvale

**Recommendation:** Approve the Assignment and Assumption and Modification Agreements between Senior Housing Solutions, Sunnyvale Senior Homes LLC (an affiliate of Charities Housing), and the City, both in final form as approved by the City Attorney; and authorize the City Manager to execute agreements and related loan documents required to facilitate the transfer of 1230 Klee Court and 1675 S. Wolfe Road from Senior Housing Solutions to Sunnyvale Senior Homes LLC.

- 1.D**     [14-0983](#)     Award of Contract for Three Quintuple Combination Fire Service Apparatus (F15-02)

**Recommendation:** 1) Award a contract in substantially the same form as the draft purchase order attached to the report and in the amount of \$2,501,198 to Ferrara Fire Apparatus, Inc. for three quintuple combination fire service apparatus; and 2) approve a 2% contingency in the amount of \$51,624.

- 1.E**     [14-1045](#)     Award of Contract for Cisco Equipment to Upgrade the City Network Infrastructure (F15-22)

**Recommendation:** Approve the award of a contract in the amount of \$241,377, excluding sales tax, to NetXperts Inc., in substantially the same form as the draft purchase order attached to the report.

- 1.F**     [14-0855](#)     Adopt a Resolution Amending the City of Sunnyvale Conflict of Interest Code

**Recommendation:** Adopt the proposed resolution (Attachment 1) amending the City's Conflict of Interest Code, as submitted.

- 1.G**     [14-1084](#)     Adopt Ordinance No. 3048-14 Amending Chapter 1.04 (General Penalty) of Title 1 (General Provisions), adding Chapter 9.58 (Signs On City Property) to Title 9 (Public Peace, Safety Or Welfare), and Amending Various Sections of Chapter 19.44 (Sign Code); of Title 19 (Zoning) of the Sunnyvale Municipal Code

**Recommendation:** Adopt Ordinance No. 3048-14.

## **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      [14-1067](#)      REQUEST FOR CONTINUATION to November 25, 2014 for the Introduction of an Ordinance to Amend Title 19 (Zoning) Regarding the Appeal Process for Land Use Projects (Study Issue, CDD 14-15); Repeal of Council Policy 1.1.4 on Appeals; and making a Finding that the Proposed Project is Exempt from the Requirements of the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines 15061(b)(3) (Planning File: 2014-7434)

**Recommendation:** In order to balance the Council agenda of November 11, 2014 staff requests continuance of this item to November 25, 2014.

- 3      [14-0787](#)      Determine Priority Needs for Human Services for Fiscal Years 2015-16 and 2016-17 and Supplemental Funding Amount for Fiscal Year 2015-16

**Recommendation:** Alternatives 1, 3 and 4: 1) Approve the list of priority needs as shown above, excerpted from the ConPlan, 3) Determine a supplemental funding amount of \$100,000 for human services grants for FY 2015-16, and 4) Modify the Human Services Policy to increase the minimum grant limit, only for applicants seeking CDBG funds, to \$25,000, and retain the current maximum grant limit of 25% of total human services funding available. The minimum grant limit for applicants seeking General funds only would remain at \$10,000.

- 4      [14-0817](#)      File #: 2014-7423  
Location: 1071 Noriega Ave. (APNs: 161-37-017, 161-37-018)  
Proposed Project:      Related applications on a 0.48-acre site:  
REZONE: Introduction of an Ordinance to rezone the site from  
R-3 (Medium Density Residential) to R-3/PD (Medium Density  
Residential/Planned Development);  
SPECIAL DEVELOPMENT PERMIT: for 10 residential  
townhome units; and  
VESTING TENTATIVE MAP: to subdivide two lots into 10 lots  
plus a common lot.  
Applicant / Owner: Classic Communities (applicant) / Classic  
1071 Noriega LP (owner)  
Environmental Review: Mitigated Negative Declaration

**Recommendation:** Alternative 1: Adopt the Mitigated Negative Declaration;  
introduce the ordinance in Attachment 8 to Rezone 1071  
Noriega Ave. (APNs: 161-37-017 and 161-37-018) from R-3 to  
R-3/PD; and approve the Special Development Permit for 10  
residential townhome units and Vesting Tentative Map to  
subdivide two lots into 10 lots plus a common lot based on the  
findings in Attachment 3 and with the recommended  
conditions of approval in Attachment 4.

- 5      [14-0818](#)      Examine Ways to Increase Local Hiring in Major Private  
Developments (Study Issue)

**Recommendation:** Alternative 1: Direct staff to develop and implement the  
actions, as presented in this report, to Encourage Local Hiring  
by developers and contractors for local projects.

- 6      [14-1059](#)      Adopt a Resolution Declaring City-Owned Residential Properties and Vacant Lots on Charles Street and Mathilda Avenue as Surplus Property and Authorizing for Sale the Subject Properties in Compliance with Government Code Section 54222

**Recommendation:** 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, proceed with sale of the properties in 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 MTC regarding the Priority Development Area grant to help facilitate the sale and return to Council for consideration with viable offers to purchase.

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

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

-Council

-City Manager

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

- [14-0281](#)      Tentative Council Meeting Agenda Calendar
- [14-0957](#)      Information/Action Items
- [14-1074](#)      Study Session Summary of October 28, 2014 - Review Performance Evaluation Tools for the City Manager and City Attorney
- [14-1082](#)      Study Session Summary of October 28, 2014 - Consideration of Housing Mitigation Fee Nexus Study Findings and Alternatives
- [14-0302](#)      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](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).*