



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, December 9, 2014

5:00 PM

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

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

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

[14-0495](#)

Closed Session held pursuant to California Government Code
Section 54957: Public Employee Performance Evaluation
Title: 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 Public Comment

4 Study Session

[14-0501](#)

How the City Council Works Together

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 ORDER OF THE DAY

[14-0950](#)

SPECIAL ORDER OF THE DAY - Recognition of Sunnyvale Library Centennial

PUBLIC ANNOUNCEMENTS

Each speaker is limited to three minutes for announcements of community events, programs, or recognition.

PRESENTATION

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 [14-0976](#) Approve City Council Meeting Minutes of November 25, 2014

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

- 1.B [14-1122](#) 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 [14-0974](#) Authorization to Accept a Metropolitan Transportation Commission Priority Development Area Planning Grant and Approval of Budget Modification No. 23 to Appropriate Funds for the Comprehensive Update of the Precise Plan for El Camino Real

Recommendation: Authorize acceptance of the MTC PDA Planning Grant in the amount of \$587,000 and authorize the City Manager to execute the Funding Agreement (Attachment 2); and approve Budget Modification No. 23 to appropriate grant funding received for the Comprehensive Update of the Precise Plan for El Camino Real.

- 1.D [14-0989](#) Receive and File FY 2013/14 Annual Status Report on Receipt and Use of Development Impact Fees and Adopt a Resolution Approving Findings Regarding Unspent Transportation Impact and Sense of Place Fees

Recommendation: Receive and file the FY 2013/14 Annual Status Report on receipt and use of development impact fees and adopt a resolution approving findings regarding unspent Transportation Impact and Sense of Place Fees.

- 1.E [14-1091](#) Amend the Schedule of Pay of the Salary Resolution: Salary Adjustment for Pay Plan Category C (applies to Classified Public Safety Officers and Lieutenants) and Pay Plan Category D/E (applies to Public Safety Captains and Public Safety Deputy Chiefs) and Approve Budget Modification No. 27

Recommendation: Amend Pay Plan Category C and D/E of the Schedule of Pay of the Salary Resolution to reflect the new pay rates pursuant to the City's current MOUs with the PSOA and PSMA, effective retroactive to July 6, 2014 and Approve Budget Modification No. 27.

- 1.F [14-1132](#) Adopt Ordinance No. 3050-14 Amending Title 19 (Zoning) Regarding the Appeal Process for Land Use Projects

Recommendation: Adopt Ordinance No. 3050-14.

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 [14-0673](#) Consideration of Housing Mitigation Fee Nexus Study Findings and Alternatives

Recommendation: Alternatives 1, 2, and 4: 1) Direct staff to prepare an ordinance to expand the Housing Mitigation Fee to all net new square footage of all office/R&D, industrial, retail, and lodging development projects in any zone; and 2) Direct staff to set the initial fee rate in the draft ordinance at \$12 per square foot for office/R&D/industrial projects (\$6 per square foot for first 25,000 square feet), and \$6 per square foot for retail and lodging projects, both adjusted annually for inflation as part of the annual fee schedule adoption; and 4) Include a provision to clarify that the new fee rates shall apply to all covered projects for which a complete planning application is submitted on or after the effective date of the ordinance.

3 [14-1076](#) 2014 4th Quarterly Consideration of GENERAL PLAN
AMENDMENT INITIATION REQUEST

File #: 2014-7958

Location: 690 E. Arques Avenue (APN: 201-31-005)

Proposed Project: Request to study a General Plan Land Use Designation change from Industrial to Schools, Residential High Density, or other designation that would accommodate a middle and high school. This Study may include other properties in the vicinity and evaluate other General Plan designations.

Applicant / Owner: Summit Public Schools / 690 East Arques LLC

Recommendation: Alternative 1: Initiate a focused General Plan Study for 690 E. Arques Ave., evaluating both Schools (SCH) and Residential High Density (RHI) General Plan designations for the site.

4 [14-1003](#) Update to the Status of Department of Public Safety
Recruitment and Staffing and Approval of Budget Modification
No. 28

Recommendation: Alternatives 1, 2 and 3: 1) Approve Budget Modification No. 28 to appropriate \$3,228,391 to fund current recruitment projects; 2) Approve the addition of a full time Public Safety Specialist to the Recruitment Unit; and 3) Approve the addition of three PSO IIs to the Public Safety authorized sworn level in the FY 2016/17 Budget for the purpose of staffing Fire Station 5 and include recruitment project funding for consideration in the FY 2015/16 Recruitment Project.

- 5 [14-1111](#) Adopt Memorandum of Understanding between the City of Sunnyvale and the Sunnyvale Managers Association (SMA) 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 for CalPERS Retirement

Recommendation: Alternative 1: Adopt the Memorandum of Understanding between the City of Sunnyvale and the Sunnyvale Managers Association, 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.

- 6 [14-1007](#) Introduce Ordinances to Amend the Sunnyvale Municipal Code by Adding Section 2.09.220 to Comply with New State Law for the Payment of Prevailing Wages for Infrastructure Work, and by Modifying Chapter 2.08 to Increase the City Manager's Bid Rejection Threshold

Recommendation: Alternatives 1 and 2: 1) Introduce an Ordinance amending Chapter 2.08 of the Sunnyvale Municipal Code (Purchases of Goods and Services) to modify the City Manager's rejection authority for goods and services procurements, and 2) Introduce an Ordinance adding Section 2.09.220 to Chapter 2.09 of the Sunnyvale Municipal Code (Public Works Contracting) to require the payment of prevailing wages on public works projects.

- 7 [14-0953](#) Receive and File the FY 2013/14 Budgetary Year-End Financial Report, Comprehensive Annual Financial Report, and Sunnyvale Financing Authority Financial Report; and Approve Budget Modification No. 26

Recommendation: Alternative 1: Receive and file the budgetary Year-End Financial Report, the audited Comprehensive Annual Financial Report, the Report to the City Council issued by the independent auditors, and the Sunnyvale Financing Authority Financial Report and approve Budget Modification No. 26.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- | | |
|--------------------------------|---|
| <u>14-0103</u> | Tentative Council Meeting Agenda Calendar |
| <u>14-1099</u> | Study Session Summary of November 11, 2014 - El Camino Real Bus Rapid Transit |
| <u>14-0822</u> | Study Session Summary of November 25, 2014 - Discussion of Council 2015 Intergovernmental Relations Assignments |
| <u>14-1047</u> | Information/Action Items |

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.