



# City of Sunnyvale

## Notice and Agenda

### City Council

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Tuesday, August 25, 2015

5:00 PM

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

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**Special Meetings: 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**

[15-0775](#)

CONFERENCE WITH REAL PROPERTY NEGOTIATORS,  
pursuant to California Government Code Section 54956.8:  
Properties: Sunnyvale Golf Course Restaurant, located at 605  
Macara Avenue  
Agency negotiators: Deanna J. Santana, City Manager;  
Manuel Pineda, Director of Public Works  
Negotiating Parties: City of Sunnyvale and ZGolf Food &  
Beverage Services, LLC  
Under negotiation: Long Term Lease/License

##### **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**[15-0483](#)

Sunnyvale Clean Water Program - Master Plan Update

**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**[15-0074](#)

SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office  
for Board and Commission Members

**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 [15-0789](#) Approve City Council Meeting Minutes of August 11, 2015

**Recommendation:** Approve the City Council Meeting Minutes of August 11, 2015 as submitted.

- 1.B [15-0753](#) 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 [15-0665](#) Authorize the City Manager to Execute a Joint Use Agreement between the City of Sunnyvale and Santa Clara Valley Water District for the Sunnyvale West Channel and Sunnyvale East Channel Project

**Recommendation:** Authorize the City Manager to execute a Joint Use Agreement between the City of Sunnyvale and Santa Clara Valley Water District for the Sunnyvale West Channel and Sunnyvale East Channel Project.

- 1.D [15-0721](#) Approve Budget Modification No. 4 to Appropriate \$81,000 of California Office of Traffic Safety Grant Funds for the FY 2015/16 Selective Traffic Enforcement Program

**Recommendation:** Approve Budget Modification No. 4 to appropriate Office of Traffic Safety STEP Grant funds in the amount of \$81,000 to a new project, FY 2015/16 Office of Traffic Safety Selective Traffic Enforcement Program Grant to promote vehicle, bicycle, and pedestrian safety.

- 1.E [15-0729](#) Approve Budget Modification No. 3 to Carry Over \$6,551 in Council Technology Funds from FY 2014/15 to FY 2015/16

**Recommendation:** Approve Budget Modification No. 3 to carry over \$6,551 in technology funds in accordance with Council Policy 7.4.2.

- 1.F [15-0745](#) Award a Contract for Design of Safe Routes to School - 2015 Project (F15-98)

**Recommendation:** 1) Award a contract, in substantially the same format as Attachment 1 and in the amount of \$293,623, to TJKM Transportation Consultants, Inc. for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met, and 2) approve a 10% design contingency in the amount of \$29,362.

- 1.G**     [15-0744](#)     Modify an Existing Contract for Services Related to the Food Scrap Collection Program (F16-04)

**Recommendation:** Approve modification of an existing contract with Browning Ferris Industries of CA Inc. to extend the contract period through December 31, 2015, and increase the not-to-exceed value to \$159,000.

- 1.H**     [15-0675](#)     Approve the City's Response and Authorize the Mayor to Sign the Letter in Response to the 2014-2015 Santa Clara Civil Grand Jury Final Report, "Protecting Our Most Vulnerable Residents"

**Recommendation:** Approve the City's response and authorize the Mayor to sign the letter in response to the Santa Clara Civil Grand Jury Report.

- 1.I**     [15-0689](#)     Approve the City's Response and Authorize the Mayor to Sign the Letter in Response to the 2014-2015 Santa Clara Civil Grand Jury Final Report, "A Slow Rising Emergency - Sea Level Rise"

**Recommendation:** Approve the City's response and authorize the Mayor to sign the letter in response to the Santa Clara County Civil Grand Jury Report.

- 1.J**     [15-0796](#)     Adopt Ordinance No. 3058-15 Adding Chapter 9.63 (Camping and Storage of Property in Public Areas) of Title 9 (Public Peace, Safety or Welfare) of the Sunnyvale Municipal Code

**Recommendation:** Adopt Ordinance No. 3058-15.

## **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      [15-0756](#)      REQUEST FOR CONTINUATION to September 15, 2015 to Introduce an Ordinance to add a new Chapter 19.76 entitled Short-term Rentals and Home Sharing to Title 19 of the Sunnyvale Municipal Code, and find that the project is exempt under CEQA pursuant to Guidelines 15061(b)(3) (Study Issue 2015-7147)

**Recommendation:** Continue this item to September 15, 2015 to balance the August 25, 2015 agenda.

- 3      [15-0755](#)      Presentation from County of Santa Clara Regarding Proposed Temporary Winter Homeless Shelter on County Property Located at Fair Oaks Avenue between East California Avenue and Central Expressway in Sunnyvale, and Possible Action by City Council

**Recommendation:** Alternative 1: Provide comments to the County regarding their proposal to establish a temporary winter shelter on County property bordered by Fair Oaks Avenue, East California Avenue and Central Expressway for the FY 2015-16 winter season.

- 4      [15-0706](#)      File #: 2014-7624  
Location: 1026 Lois Avenue (APN: 198-34-011)  
Zoning: R-0  
Proposed Project:  
Appeal by a neighbor of a Planning Commission Decision approving a Design Review to allow construction of a new two-story home with a total floor area of 2,993 square feet (2,566 square feet living area and a 427-square foot garage) resulting in 49.8 percent floor area ratio (FAR).  
Applicant / Owner: BO Design (applicant) / Haiyan Gong (owner)  
Environmental Review: A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

**Recommendation:** Alternative 1: Deny the Appeal and uphold the Decision of the Planning Commission to Approve the Design Review, subject to recommended Conditions of Approval (Attachment 5 to the report).

- 5      [15-0738](#)      Approve Fair Oaks Park Master Plan Changes Related to Housing Grant Project for the Renovation/replacement of Auxiliary Restroom, Parking Lot and Associated Areas and Finding of Class 2 and Class 4 Categorical Exemptions

**Recommendation:** Alternative 1: Approve the conceptual design as shown on Attachment 1 and make a CEQA finding of Class 2 and Class 4 categorical exemptions.

- 6      [15-0699](#)      Appoint an Alternate City Representative to Valley Transportation Authority El Camino Real Bus Rapid Transit Policy Advisory Board

**Recommendation:** Alternative 1: Appoint a Councilmember to serve an intergovernmental assignment as an alternate on the VTA El Camino Real Bus Rapid Transit Policy Advisory Board.

- 7      [15-0800](#)      Ratification of an Intergovernmental Assignment Appointment by the Cities Association of Santa Clara County to the Emergency Operational Area Council for Councilmember Jim Davis

**Recommendation:** Staff makes no recommendation.

**COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL  
COMMITTEE ASSIGNMENTS****NON-AGENDA ITEMS & COMMENTS**

-Council

-City Manager

**INFORMATION ONLY REPORTS/ITEMS**

<a href="#"><u>15-0811</u></a>	Tentative Council Meeting Agenda Calendar
<a href="#"><u>15-0660</u></a>	Information/Action Items
<a href="#"><u>15-0801</u></a>	Board/Commission Resignation (Information Only)
<a href="#"><u>15-0786</u></a>	Study Session Summary of August 11, 2015 - City Attorney Recruitment and Brochure
<a href="#"><u>15-0812</u></a>	Board/Commission Meeting 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).*