



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, November 10, 2015

5:00 PM

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

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

[15-0519](#)

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: Public Safety Managers Association
(PSMA)

Employee organization: Public Safety Officers Association
(PSOA)

Employee organization: Sunnyvale Employees Association
(SEA)

Employee organization: Sunnyvale Managers Association
(SMA)

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 Public Comment****4 Study Session**[15-0078](#)

Board and Commission Interviews

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****ORAL COMMUNICATIONS**

This category provides an opportunity for members of the public to address Council on items not listed on the agenda and 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 up to three minutes per speaker.

Please note the Brown Act (Open Meeting Law) does not allow Councilmembers to take action on an item not listed on the agenda. 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.

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** [15-0823](#) Approve City Council Meeting Minutes of October 27, 2015

Recommendation: Approve the City Council Meeting Minutes of October 27, 2015 as submitted.

- 1.B** [15-0978](#) 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** [15-0599](#) Approve Budget Modification No. 9 to Provide Funding for Temporary Public Works Transportation and Traffic Services Staff and Authorize the City Manager to Amend or Enter into Implementing Contract(s) to a Level Greater than \$100,000 so long as the Total Appropriation of \$300,000 is Not Exceeded

Recommendation: Approve Budget Modification No. 9 to appropriate \$300,000 for temporary transportation and traffic services and authorize the City Manager to amend or enter into implementing contract(s) to a level greater than \$100,000 so long as the total appropriation of \$300,000 is not exceeded.

- 1.D** [15-0991](#) Adopt Ordinance No. 3064-15 Repealing and Reenacting Chapter 9.41 (Massage Establishments and Massage Therapists) of Title 9 (Public Peace, Safety or Welfare) and Amending Sections 19.12.140 (Definitions-“M”), 19.18.030 (Table-Permitted, Conditionally Permitted and Prohibited Uses in Residential Zoning Districts), and 19.60.010 (Adult Businesses) of the Sunnyvale Municipal Code

Recommendation: Adopt Ordinance No. 3064-15.

- 1.E [15-0992](#) Adopt Ordinance No. 3065-15 Amending Title 19 (Zoning) of the Sunnyvale Municipal Code Relating to Child Care Centers

Recommendation: Adopt Ordinance No. 3065-15, as amended to clarify the definition of "business sponsored" as shown in Attachment 1 in redline.

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 [15-0511](#) Introduce an Ordinance to Repeal Section 19.42.080 of Title 19 (Zoning) Regarding Private Security Cameras, and Find that the Project is Exempt from the Requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines 15061(b)(3)(Planning File: 2015-7148; Study Issue CDD 15-08)

Recommendation: Alternatives 1 and 2: (1) Introduce an ordinance to repeal Sunnyvale Municipal Code Section 19.42.080 regarding the installation and location of private surveillance cameras; and (2) Find that the project is exempt from CEQA pursuant to CEQA Guideline 15061(b)(3).

- 3 [15-0865](#) File #: 2015-7259
Location: 423 E. Maude Ave. (APN: 204-21-006)
Zoning: R-3 (Medium Density Residential)
Proposed Project: Call for Review by the City Council of a decision by the Planning Commission approving related applications on a 0.59-acre site:
DESIGN REVIEW to allow 11 townhome units;
VESTING TENTATIVE MAP to subdivide one lot into 11 lots plus one common lot, and
VARIANCE to allow an average front yard setback along Maude Ave. of 18 feet 10 inches, where 20 feet average is required.
Applicant / Owner: Classic Communities / Robert Alonso
Trustee
Environmental Review: Mitigated Negative Declaration

Recommendation: Alternative 1: Uphold the decision of the Planning Commission to adopt the Mitigated Negative Declaration and approve the Design Review, Vesting Tentative Map, and Variance based on the findings in Attachment 3 and with the recommended conditions of approval in Attachment 4.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- [15-0402](#) Tentative Council Meeting Agenda Calendar
[15-0916](#) Information/Action Items
[15-0953](#) Mary Avenue Extension (Information Only)

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.