



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, April 19, 2016

6:15 PM

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

Special Meeting-Closed Session-6:15 PM | Regular Meeting-7 PM

6:15 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

[16-0393](#)

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 Officers Association
(PSOA)

Employee organization: Sunnyvale Employees Association
(SEA)

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** [16-0350](#) Approve City Council Meeting Minutes of April 5, 2016

Recommendation: Approve the City Council Meeting Minutes of April 5, 2016 as submitted.

- 1.B** [16-0374](#) 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** [16-0278](#) Approve 2016 Board and Commission Master Work Plans

Recommendation: Approve the 2016 master work plans as submitted.

- 1.D** [16-0048](#) Approve Drought Grant Reimbursement Agreement between the City of Sunnyvale and Santa Clara Valley Water District (SCVWD) for Receipt and Administration of State Grant Funds for the Sunnyvale Continuous Recycled Water Production Facilities and Wolfe Road Pipeline project and approval of Budget Modification No. 24

Recommendation: 1) Authorize the City Manager to execute the drought grant reimbursement agreement between the City of Sunnyvale and Santa Clara Valley Water District (SCVWD) for receipt and administration of state grant funds for the Sunnyvale Continuous Recycled Water Production Facilities and Wolfe Road Pipeline project; and 2) Approve Budget Modification No. 24 to appropriate the grant funds to the WPCP Chlorine Conversion Project.

- 1.E** [16-0319](#) Approve Loan Agreements with Crescent Terrace, Inc. to Rehabilitate Crescent Terrace Apartments

Recommendation: Approve Loan Agreements with Crescent Terrace, Inc. for \$500,000 in Community Development Block Grant Funds and \$550,000 in HOME Investment Partnerships Program Funds, in substantially the form provided in Attachments 1 and 2 of the report, and authorize the City Manager to execute the Agreements in a final form approved by the City Attorney.

- 1.F** [16-0371](#) Modify an Existing Contract for Temporary Staffing for the Information Technology Department (F16-109)

Recommendation: 1) Authorize the City Manager to execute a Second Amendment to an existing contract with Robert Half Technology in substantially the same form as Attachment 1 to the report, by extending the contract through December 31, 2016 and increasing the not-to-exceed value from \$90,000 to \$190,000; and 2) Delegate authority to the City Manager to extend the contract for an additional period of time not to exceed one year, if operationally necessary and subject to the availability of funds.

- 1.G [16-0372](#) Approve the Second Amendment to Outside Counsel Agreement with Bertrand, Fox & Elliot for Litigation Services

Recommendation: Authorize the City Attorney to execute a Second Amendment, in substantially the same form as Attachment 1 to the report, to the Outside Counsel Agreement with the law firm of Bertrand, Fox & Elliot to increase the not-to-exceed amount by \$90,000, for a new not-to-exceed contract amount of \$225,000.

- 1.H [16-0399](#) Adopt Ordinance No. 3075-16 Awarding Nonexclusive Franchise for Taxicab Service to Silicon Valley Taxi Drivers, Inc. dba Green Cab

Recommendation: Adopt Ordinance No. 3075-16.

- 1.I [16-0400](#) Adopt Ordinance No. 3076-16 Awarding Nonexclusive Franchise for Taxicab Service to Silicon Valley Cab Co., Inc. dba Silicon Valley Cab

Recommendation: Adopt Ordinance No. 3076-16.

- 1.J [16-0401](#) Adopt Ordinance No. 3077-16 to Amend Chapter 9.86 of Title 9 (Public Peace, Safety or Welfare) and Various Sections of Title 19 (Zoning) of the Sunnyvale Municipal Code Relating to an Express Prohibition on Medical Marijuana Cultivation, Commercial Activity, Distribution and Delivery

Recommendation: Adopt Ordinance No. 3077-16.

- 1.K [16-0402](#) Adopt Ordinance No. 3078-16 to Amend Section 3.80.040 (Minimum Wage) of Chapter 3.80 (Minimum Wage Ordinance) to Title 3 (Revenue And Finance) of the Sunnyvale Municipal Code to Increase the City-Wide Minimum Wage

Recommendation: Adopt Ordinance No. 3078-16.

- 1.L [16-0403](#) Adopt Ordinance No. 3079-16 Amending Section 3.50.070 (Fee Payment) of Chapter 3.50 (Transportation Impact Fee) of Title 3 (Revenue And Finance) and Section 19.75.020 (General Applicability) of Chapter 19.75 (Housing Impact Fees) of Title 19 (Zoning)

Recommendation: Adopt Ordinance No. 3079-16.

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 [16-0291](#) Conduct a Public Hearing and Adopt a Resolution confirming the Downtown Sunnyvale Business Improvement District Annual Report for FY 2016/17 and to Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District

Recommendation: Alternative 1: Adopt the Resolution confirming the Downtown Sunnyvale Business Improvement District Annual Report for FY 2016/17 and to Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District.

- 3 [16-0169](#) File #: 2015-8091
Location: 748-838 Dartshire Way and 747-837 Devonshire Way (APNs 309-28-001, 309-28-002, 308-28-003, 309-28-036)
Zoning: R-0
Proposed Project: Introduction of Ordinance to Rezone 36 contiguous single family home lots from R-0 (Low Density Residential) to R-0/S (Low Density Residential/Single-Story)
Applicant / Owner: Martin Griffiths
Environmental Review: The Ordinance being considered is categorically exempt from review pursuant to CEQA Guidelines Section 15305 (minor alteration in land use) and Section 15061(b)(3) (not a project that may have a significant effect on the environment).

Recommendation: Alternative 1: Introduce an Ordinance to Rezone 36 contiguous single family home lots from R-0 (Low Density Residential) to R-0/S (Low Density Residential/Single-Story).

4 [16-0358](#)

File #: 2015-7275

Location: 1111 Lockheed Martin Way (APNs: 110-01-036 and 110-01-038)

Proposed Project: Discussion and possible actions on related applications for a 47.4 acre parcel at 1111 Lockheed Martin Way:

SPECIFIC PLAN AMENDMENT for two parcels from Moffett Park General Industrial (MP-I) to Moffett Park Transit Oriented Development (MP-TOD) and associated text changes;

REZONING Introduction of an Ordinance to Rezone two parcels from MP-I (Moffett Park Industrial) to MP-TOD (Moffett Park Transit Oriented Development).

ENVIRONMENTAL DOCUMENT: Subsequent Environmental Impact Report.

Applicant / Owner: Jay Paul Company/ Lockheed Martin Corporation

Recommendation: Alternatives 1, 3 and 5: 1) Adopt a resolution certifying the Subsequent Environmental Impact Report adopting the Statement of Overriding Considerations, and adopting the Mitigation Monitoring and Reporting Program as shown in Attachment 6 and 7 to the report; 3) Adopt a resolution to amend the MPSP to change the Land Use Designation from Moffett Park Industrial to MP-TOD for Lots 2 and 4 as contained in the Findings in Attachment 2 to the report and Resolution in Attachment 3 to the report, and 5) Introduce an ordinance to Rezone Lots 2 and 4 within MPSP from MP-I to MP-TOD as contained in the Findings in Attachment 2 and Draft Ordinance in Attachment 4 to the report.

- 5 [16-0383](#) Adopt two Resolutions: (1) Declaring Councilmember Seat Number 4 Vacant and (2) Calling a Special Municipal Election to be held on Tuesday, August 16, 2016 for the Purpose of Filling the Vacancy in Councilmember Seat Number 4 for the Unexpired Term, Requesting Election Services from the Santa Clara County Registrar of Voters, Providing Regulations for Candidates' Statements and Determining to Levy Costs of Candidates' Statements

Recommendation: Alternative 1: Adopt two Resolutions: (1) Declaring Councilmember Seat Number 4 Vacant and (2) Calling a Special Municipal Election to be held on Tuesday, August 16, 2016 for the Purpose of Filling the Vacancy in Councilmember Seat Number 4 for the Unexpired Term, Requesting Election Services from the Santa Clara County Registrar of Voters, Providing Regulations for Candidates' Statements and Determining to Levy Costs of Candidates' Statements

- 6 [16-0243](#) Steps to Achieving a Silver Level Designation in the League of American Bicyclists - Bicycle Friendly Communities (Study Issue)

Recommendation: Alternative 1: Apply to be considered as a Silver Level Bicycle Friendly Community.

- 7 [16-0106](#) Introduce an Ordinance to Amend Title 19 (Zoning) of the Sunnyvale Municipal Code (SMC) and Update the Water-Efficient Landscaping Regulations per California Governor's Executive Order B-29-15 and make a Finding that the Project is Exempt from the Requirements of the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Sections 15307 and 15308 (Planning File: 2016-7032)

Recommendation: Alternatives 1 and 2: 1) Introduce an ordinance to amend Sunnyvale Municipal Code Chapter 19.37 (Landscaping and Usable Open Space) per the State of California Governor's Executive Order B-29-15, as set forth in Attachment 1 of the report; and 2) Find that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15307 and 15308.

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

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

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|--------------------------------|---|
| <u>16-0390</u> | Tentative Council Meeting Agenda Calendar |
| <u>16-0227</u> | Information/Action Items |
| <u>16-0405</u> | Town Center Status Update and Proposed Schedule of Key Milestones (Information Only) |
| <u>16-0346</u> | 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 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.