



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, September 13, 2016

5:00 PM

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

Special Meeting-Closed Session-5 PM | Special Meeting-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

[16-0863](#)

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: Sunnyvale Employees Association
(SEA)
Employee organization: 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[16-0687](#)

El Camino Real Corridor Plan Presentation of Vision and Land Use Alternatives

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**[16-0685](#)

Certification of Special Election Results of August 16, 2016 - Councilmember Seat Number 4 (Unexpired Term)

Recommendation: Adopt the Resolution Reciting the Fact of the Special Municipal Election held August 16, 2016, Declaring the Results and such other matters as provided by law.

[16-0673](#)

SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Councilmember-Elect

[16-0470](#)

SPECIAL ORDER OF THE DAY - Falls Prevention Awareness Day

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** [16-0805](#) Approve City Council Meeting Minutes of August 23, 2016

Recommendation: Approve the City Council Meeting Minutes of August 23, 2016 as submitted.

- 1.B** [16-0787](#) 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** [16-0322](#) City of Sunnyvale 2016 Conflict of Interest Code Biennial Notice

Recommendation: Review and approve the issuance of the Biennial Notice and direct the City Clerk to return to Council within 90 days with a proposed resolution to amend the City's Conflict of Interest Code.

- 1.D** [16-0775](#) Authorize the Issuance of a Purchase Order for the Purchase of Fire Protective Clothing, Equipment and Fire Safety Supplies for the Department of Public Safety (F17-007)

Recommendation: 1) Authorize the issuance of a blanket purchase order in substantially the same form as Attachment 1 to the report in the amount of \$175,000 to L.N. Curtis & Sons; and 2) delegate authority to the City Manager to renew the purchase order for two additional one-year periods, not-to-exceed budgeted amounts, provided pricing and service remain acceptable to the City.

- 1.E** [16-0771](#) Award of Contract for Design and Construction Support Services for the Washington Community Swim Center Project (RFP No. F16-100)

Recommendation: 1) Award a design contract, in substantially the same format as Attachment 1 to the report in an amount not to exceed \$632,555 to Dahlin Group, Inc., 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 \$63,256.

- 1.F [16-0785](#) Consider Charities Housing Development Corporation Proposal for \$403,000 in Below Market Rate In-Lieu Fee (BIF) Funds for Rehabilitation of Stoney Pine Villa Apartments at 267 W. California Avenue and Approve Budget Modification No. 9 to Appropriate Funding from the Below Market Rate Housing Fund

Recommendation: Award a one-year conditional commitment of BIF in the amount of \$403,000 to Charities for rehabilitation of Stoney Pine consistent with the terms set forth in Attachment 4 and approve Budget Modification No. 9.

- 1.G [16-0810](#) Authorization to Modify an Existing Contract for Temporary Personnel for the Environmental Services Department (F17-016)

Recommendation: Authorize the City Manager to execute an amendment to the existing contract with On Assignment Staffing Services to increase the not-to-exceed amount from \$80,000 to \$145,600, in substantially the same form as Attachment 1 to the report

- 1.H [16-0841](#) Award of Contract for Design and Construction Support Services for the Trash Capture Devices Project No. 2 (F16-136)

Recommendation: 1) Award a contract, in substantially the same form as Attachment 1 to the report and in the amount of \$117,370 to Schaaf & Wheeler Consulting Civil Engineers, 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 \$11,321.

- 1.I [16-0860](#) Adopt Ordinance No. 3092-16 Adding New Chapter 18.50 of Title 18 (Subdivisions) of the Sunnyvale Municipal Code relating to the Summary Vacation of Public Service Easements

Recommendation: Adopt Ordinance No. 3092-16.

- 1.J [16-0861](#) Adopt Ordinance No. 3093-16 to Add new Sections 12.24.115 (Water Theft Prohibited) and 12.24.285 (Construction Hydrant Meters) to Chapter 12.24 (Water System Regulations) of Title 12 (Water and Sewers) of the Sunnyvale Municipal Code

Recommendation: Adopt Ordinance No. 3093-16.

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 [16-0271](#) Proposed Project: APPEAL by a member of the public of a decision by the Planning Commission to conditionally allow a: SPECIAL DEVELOPMENT PERMIT to allow an approximately 11,600 square foot new commercial building (grocery store) on an existing commercial site. The project replaces a portion (approx.7,599 s.f.) of the Orchard Supply Hardware building and storage area.
File #: 2015-7399
Location: 777 Sunnyvale-Saratoga Road (APN: 201-36-002)
Zoning: C-2/ECR
Appellant / Applicant / Owner: Michael Howland (appellant) / Ware Malcomb (applicant) / Mardit Properties, LP (owner)
Environmental Review: Mitigated Negative Declaration

Recommendation: Alternatives 1 and 2: 1) Make the Findings Required by CEQA and for the Special Development Permit in Attachment 3 to the report, and 2) Deny the appeal, affirm the decision of the Planning Commission in part to approve the Special Development Permit subject to the conditions of approval in Attachment 4 to the report and modify in part by adopting the revised Mitigated Negative Declaration in Attachment 7 to the report.

- 3 [16-0849](#) Introduce an Ordinance to Add a new Chapter 19.45 (Residential Transportation Demand Management) to the Sunnyvale Municipal Code, Adopt a Resolution Creating the Multi-family Residential Transportation Demand Management Program (Study Issue-Planning File 2015-7150), Rescind Council Policy 1.1.15 (Residential Transportation Demand

Management), and Find that these Actions are Exempt from CEQA.

Recommendation: Alternatives 1, 4 and 5: 1) Introduce an ordinance to repeal Section 19.22.035 and add a new Chapter 19.45 (Residential Transportation Demand Management) to the Sunnyvale Municipal Code, and Adopt a resolution to adopt the Multi-family Residential Transportation Demand Management Program (Attachments 3 and 4 of this report), 4) Rescind Council Policy 1.1.15 (Residential Transportation Demand Management), and 5) Find that these actions are exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15308.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

<u>16-0748</u>	Tentative Council Meeting Agenda Calendar
<u>16-0738</u>	Information/Action Items
<u>16-0706</u>	Update on the Bird Safe Design Guidelines (Information Only)
<u>16-0836</u>	Study Session Summary of August 9, 2016 - Peery Park Specific Plan
<u>16-0806</u>	Board/Commission Meeting Minutes

ADJOURNMENT

NOTICE TO THE PUBLIC

The agenda reports to council (RTCs) may be viewed on the City's website 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.