



# City of Sunnyvale

## Notice and Agenda

### City Council

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Tuesday, February 7, 2017

4:30 PM

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

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**Special Meetings: Closed Session- 4:30 PM | Study Session- 6 PM | Regular Meeting- 7 PM**

#### **4:30 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**

###### **[17-0139](#)**

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: Service Employees International Union (SEIU)

###### **[16-1134](#)**

Closed Session held pursuant to California Government Code Section 54956.8: CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: "Block 15 Affordable Housing Site" located at 365-407 S. Mathilda Avenue and 388-406 Charles Street (APNs 165-13-045, 165-13-046, 165-13-068, 165-13-069, 165-13-073, 165-13-074)

City negotiators: City Manager Deanna Santana, Director of Community Development Trudi Ryan and Housing Officer Suzanne Isé

Negotiating parties: The Related Companies of California,

LLC

Under negotiation: Price and terms of payment for a proposed long-term ground lease of City property (Exclusive Negotiating Agreement)

## **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**

[16-0087](#)

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**

### **SPECIAL ORDER OF THE DAY**

[17-0194](#)

SPECIAL ORDER OF THE DAY - National African American History Month

[17-0197](#)

SPECIAL ORDER OF THE DAY - National Slavery and Human Trafficking Prevention Month

[17-0212](#)SPECIAL ORDER OF THE DAY - Certificate of Recognition to  
Director of Environmental Services Upon His Retirement**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**    [17-0018](#)            Approve City Council Meeting Minutes of January 24, 2017

**Recommendation:** Approve the City Council Meeting Minutes of January 24, 2017 as submitted.

**1.B**    [17-0019](#)            Approve City Council Meeting Minutes of January 31, 2017

**Recommendation:** Approve the City Council Meeting Minutes of January 31, 2017 as submitted.

**1.C**    [16-1042](#)            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.D**    [17-0056](#)            Award of Contract for the Corporation Yard Site Feasibility and Modernization Plan (F17-010) and Approval of Budget Modification No. 30 in the Amount of \$81,724

**Recommendation:** 1) Award a contract in substantially the same form as Attachment 1 to the report and in an amount not to exceed \$259,749 to Kappe Architects Inc. and authorize the City Manager to execute the contract when all necessary conditions have been met; 2) approve a 10% contract contingency in the amount of \$25,975; and 3) approve Budget Modification No. 30 in the amount of \$81,724 to provide additional project funding.

**1.E** [17-0145](#) Approve the Third Amendment to Outside Counsel Agreement with Bertrand, Fox & Elliot for Litigation Services

**Recommendation:** Authorize the City Attorney to execute a Third 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 \$100,000, for a new not-to-exceed contract amount of \$325,000.

**1.F** [17-0163](#) Adopt Ordinance No. 3108-17 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone certain 54 Contiguous Properties located between Carlisle Way, Dartshire Way and Mallard Way from R-0 (Low Density Residential Zoning District to R-0/S (Low Density Residential/Single-Story) Zoning District

**Recommendation:** Adopt Ordinance No. 3108-17.

**1.G** [17-0164](#) Adopt Ordinance No. 3109-17 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone certain 25 Contiguous Properties located between Torrington Drive on the North Side, Sesame Drive on the West Side and includes Snowberry Court from R-1 (Low Density Residential) Zoning District to R-1/S (Low Density Residential/Single-Story) Zoning District

**Recommendation:** Adopt Ordinance No. 3109-17.

**1.H** [17-0206](#) Adopt Ordinance No. 3110-17 to Repeal Chapter 9.54 (Human Habitation of Vehicles) of Title 9 (Public Health, Safety & Welfare) and Amend Section 10.16.140 (Parking for Certain Purposes Prohibited) of Chapter 10.16 (Parking Regulations) of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code

**Recommendation:** Adopt Ordinance No. 3110-17.

## **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      [17-0072](#)      Authorize the City Manager to Explore a Partnership with the Sunnyvale School District for the Joint Development and Operations of the Lakewood Branch Library and Learning Center

**Recommendation:** Alternative 1: Authorize the City Manager to proceed with a feasibility study and to explore a partnership with the Sunnyvale School District for the joint development and operations of a Lakewood Branch Library and Learning Center.

- 3      [16-0664](#)      Next Steps and Possible Options for the Sale of Property Located at 1050 & 1060 Innovation Way (Onizuka) and approval of Budget Modification No. 28

**Recommendation:** Alternatives 1, 2 and 4: 1) Direct staff to proceed with a Request for Proposal for real estate broker services for the sale of the property on the open market; 2) Direct staff to proceed with the drafting of an amendment to the Moffett Park Specific Plan for City Council consideration at a future date to allow higher floor area ratio in connection with redevelopment of the Onizuka Parcels as described in the report, and 4) Approve Budget Modification No 28 to Appropriate \$20,000 for updated appraisals and a Phase I Environmental Assessment.

- 4      [17-0205](#)      Appoint a Council Representative to the Santa Clara Valley Water District Water Commission

**Recommendation:** Alternatives 1 and 2: 1) Appoint a Councilmember to serve at the City's primary representative on the Water Commission; and 2) Appoint a Councilmember to serve as the City's alternate representative on the Water Commission.

- 5      [17-0070](#)      Approve the Statement on Our City Values and Public Service Affirming the City of Sunnyvale's Commitment to Serving Our Diverse Community in a Respectful, Equitable, and Inclusive

Manner

**Recommendation:** Alternative 1: Approve and authorize the Mayor to sign the Statement on Our City Values and Public Service affirming commitment to serving our diverse community in a respectful, equitable, and inclusive manner attached as Attachment 1 to the report.

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

### **NON-AGENDA ITEMS & COMMENTS**

-Council

-City Manager

### **INFORMATION ONLY REPORTS/ITEMS**

[17-0021](#) Tentative Council Meeting Agenda Calendar

[17-0015](#) Information/Action Items

### **ADJOURNMENT**

### **NOTICE TO THE PUBLIC**

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