



# City of Sunnyvale

## Notice and Agenda - Revised City Council

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Tuesday, June 21, 2016

3:00 PM

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

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**Special Meetings: Workshop-3 PM | Closed Session-5 PM | Special Council Meeting-6 PM**

### **3 P.M. SPECIAL COUNCIL MEETING (Workshop)**

**1 Call to Order in the Council Chambers (Open to the Public)**

**2 Roll Call**

**3 Public Comment**

**4 Workshop**

[16-0552](#)

Workshop to Present Information Regarding the City's  
Pension Obligations

**5 Adjourn Special Meeting**

### **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**

16-0581

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: Sunnyvale Managers Association  
(SMA)

Employee organization: Public Safety Officers Association  
(PSOA)

Unrepresented Employees

## 5 Adjourn Special Meeting

## 6 P.M. SPECIAL 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**    [16-0599](#)            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.B**    [16-0550](#)            Award of Bid No. PW16-14 for Mary-Carson Water Tank No. 1 Refurbishment and Finding of CEQA Categorical Exemption

**Recommendation:** 1) Make a finding of CEQA categorical exemption pursuant to CEQA Guideline Section 15301 for alterations to existing facilities involving negligible or no expansion of use beyond that which presently exists; 2) award a contract in substantially the same form as Attachment 2 to the report and in the amount of \$799,000 to Blastco Inc.; and 3) approve a 15% construction contingency in the amount of \$119,850.

- 1.C**    [16-0555](#)            Modify an Existing Contract for Design Services for the Mary Avenue Bicycle Lanes Project and Approval of Budget Modification No. 39 in the Amount of \$16,170 (F16-127)

**Recommendation:** 1) Authorize the City Manager to execute an amendment to the existing contract with W-Trans adding \$14,700 and increasing the not to exceed amount from \$189,900 to \$204,600, in substantially the same form as Attachment 1 to the report; 2) approve a 10% contract contingency for the contract amendment in the amount of \$1,470; and 3) Approve Budget Modification No. 39 in the amount of \$16,170 to provide additional funding.

- 1.D [16-0519](#) Award of Contract for Design and Construction Support Services for the Fair Oaks Avenue Bikeway and Streetscape Project (F16-57)

**Recommendation:** 1) Award a design contract, in substantially the same format as Attachment 1 to the report in an amount not-to-exceed \$254,486 to CSG Consultants, Inc. for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and approve a 10% design contingency in the amount of \$25,449.

- 1.E [16-0650](#) Adopt Ordinance No. 3085-16 Approving and Adopting a Development Agreement between MT II LLC and the City of Sunnyvale Related to the Development of Property commonly known as Moffett Towers II

**Recommendation:** Adopt Ordinance No. 3085-16

#### **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 [16-0240](#) Formalize the Current Friendship City Relationship with Iizuka, Japan to a Sister City Relationship Including Membership in Sister Cities International (Study Issue)

**Recommendation:** Authorize Membership in Sister Cities International (SCI) and Establish a Sister City Relationship and authorize the Mayor to sign a Sister City Agreement with the City of Iizuka, Japan, in a form approved by the City Attorney (Types of Agreements - Option C); Resources to Increase Engagement: Staff makes no recommendation.

- 3      [16-0380](#)      Proposed Utility Rate Increases for FY 2016/17 Rates for Water, Wastewater, and Solid Waste Utilities for Services Provided to Customers Within and Outside City Boundaries; Finding of CEQA Exemption Pursuant to Public Resource Code Section 21080(b)(8) and CEQA Guidelines Section 15273

**Recommendation:** Alternatives 1 and 2: 1) Find that the project is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(8) and CEQA Guidelines Section 15273 because it approves rates and charges for the purposes of (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment or materials; (3) meeting financial reserve needs and requirements; and (4) obtaining funds for capital projects necessary to maintain current service levels; and 2) Adopt the attached resolution increasing water, wastewater, and solid waste rates for FY 2016/17.

- 4      [14-0273](#)      Authorize Capacity and Safety Improvements to the Wolfe Road Corridor from El Camino Real to Homestead Road (Study Issue)

**Recommendation:** Authorize selection of Triangle Alternative 3 and Corridor Alternative 3.

5      [16-0557](#)

File #: 2015-7756

Location: 803 W El Camino Real (APN: 165-01-029, 042, and 043)

Zoning: C-2 / ECR (Highway Business / El Camino Real Precise Plan)

Proposed Project:      Appeal by a member of the public of a decision by the Planning Commission to conditionally allow: SPECIAL DEVELOPMENT PERMIT for a mixed use development on a 2.97 acre site with 49 residential units (40 apartments + 8 attached single family homes + 1 detached single family home), approximately 5,662 square feet of commercial space, and expansion of the adjacent Grand Hotel (51 rooms)

VESTING TENTATIVE MAP to subdivide the 3 existing lots into 11 separate lots. A condominium map is requested for lot #11.

Applicant / Owner: De Anza Properties (applicant) / Pastoria El Camino Partnership (owner)

Environmental Review: Mitigated Negative Declaration

**Recommendation:** Alternative 1: Deny the appeal and affirm the Planning Commission's determination to adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map subject to the revised recommended conditions of approval in Attachment 4 of the report.

6      [16-0613](#)

File #: 2016-0613

Location: 225 S. Taaffe Street (Block 18 of Downtown Specific Plan bounded by Mathilda, Washington, Sunnyvale and Iowa Avenues)

Proposed Project:      Appeal by a member of the public of a decision by the Planning Commission to approve: SPECIAL DEVELOPMENT PERMIT to amend the Final Conditions of Approval for the Sunnyvale Town Center project to allow for rental housing units with a ground floor leasing office and an agreement to provide affordable housing within the project.

Applicant / Owner: STC Venture, LLC (applicant) / REDUS SVTC, LLC (owner)

Environmental Review: No additional environmental review is necessary; the proposed amendments to the Special Development Permit Final Conditions of Approval are within the scope of the previous environmental analysis for the Downtown Program Improvement Update, pursuant to CEQA Guidelines Section 15168(c)(2) and in addition are categorically exempt pursuant to CEQA Guidelines Section 15304 and 15305.

**Recommendation:** Alternative 1 (a and b): Deny the appeal and affirm the decision of the Planning Commission:

- a. Find that the proposed amendments to the Special Development Permit Final Conditions of Approval for the Sunnyvale Town Center project are categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15304 and 15305 and in addition that no additional environmental review is necessary as the proposed amendments are within the scope of the previous environmental analysis for the Downtown Program Improvement Update pursuant to CEQA Guidelines Section 15168(c)(2), subject to the findings in Attachment 7 to the report; and
- b. Approve the findings and Amended Final Conditions of Approval pursuant to Attachments 16 and 17.

- 7      [16-0436](#)      Introduce an Ordinance to Amend Chapter 9.28 of Title 9 (Public Peace, Safety or Welfare) of the Sunnyvale Municipal Code Relating to Regulation of Smoking in Outdoor Areas; Consider Amendment to Section 9.28.030(d) of Title 9 to Modify or Eliminate the Requirement that Taverna Bistro and Lounge (133 S. Murphy Ave) Comply with the Prohibition on Smoking in Outdoor Dining Areas Following a Two-Year Amortization Period for Use Permit No. 2006-0827 (Hookah); Finding of CEQA Exemption Pursuant to Guideline Section 15061(b)(3)

**Recommendation:** Alternatives 1 and 2: 1) Find that the ordinance is exempt from environmental review pursuant to California Environmental Quality Act Guidelines section 15061(b)(3), and 2) Introduce an Ordinance to amend Chapter 9.28 of Title 9 of the Sunnyvale Municipal Code (Public Peace, Safety or Welfare) Relating to Regulation of Smoking in Outdoor Areas including:

- a. in and within 25 feet of service areas;
- b. at public events;
- c. downtown; and
- d. in all public parks (removing the exception for golf courses).

- 8      [16-0437](#)      Introduce an Ordinance to Amend Section 9.26.030 (Nuisances Described - Authority to Abate) of Chapter 9.26 (Abatement of Nuisances) of Title 9 (Public Peace, Safety or Welfare) of the Sunnyvale Municipal Code to Maintain Prohibitions Related to Parking on Unpaved Surfaces; Finding of CEQA Exemption Pursuant to Guideline Section 15061(b)(3)

**Recommendation:** Alternative 1: Find that the ordinance is exempt from environmental review pursuant to CEQA Guideline 15061(b)(3), and Introduce an Ordinance to Amend Section 9.26.030 (Nuisances Described - Authority to Abate) of Chapter 9.26 (Abatement of Nuisances) of Title 9 (Public Peace, Safety or Welfare) of the Sunnyvale Municipal Code to Maintain Prohibitions Related to Parking on Unpaved Surfaces.



- 9      [16-0398](#)      Adopt a Resolution Adopting the 2015 Urban Water Management Plan (UWMP)

**Recommendation:** Alternative 1: Adopt a resolution adopting the 2015 Urban Water Management Plan as presented and direct staff to forward the UWMP to the California State Department of Water Resources.

- 10     [16-0537](#)      Introduce an Ordinance to Amend Section 12.34.020 (Water Conservation Restrictions) of the Sunnyvale Municipal Code; Adopt a Resolution to be in Effect from July 1, 2016 through June 30, 2017 declaring a Continued Drought Condition, Setting Stage 1 Water Reduction Target at 15%, Restricting Use of Potable Water for Landscape and Turf Irrigation, and Approve Budget Modification No. 37 to Add \$125,000 for the Turf Rebate Program; Find the Action Exempt from CEQA pursuant to Guideline 15307

**Recommendation:** Alternatives 1, 2 and 3: 1) Introduce an Ordinance (Attachment 1 to the report) to Amend Section 12.34.020 (Water Conservation Restrictions) of the Sunnyvale Municipal Code; 2) Adopt a Resolution (Attachment 2 to the report), to be in effect from July 1, 2016 through June 30, 2017 declaring a Continued Drought Condition, Setting Stage 1 Water Reduction Target at 15%, limiting use of potable water for landscape and turf irrigation to three scheduled days per week, except when watering by hand or by drip irrigation, or for maintenance of public parks, playing fields, golf course greens, and school grounds, provided such irrigation is done in a water efficient manner, or for fire protection, soil erosion, and environmental mitigation projects; and 3) Approve Budget Modification 37 providing \$125,000 for water conservation including rebates.

- 11     [16-0538](#)      Appoint a Councilmember to Serve on the Council Subcommittee on Board and Commission Bylaws Amendments

**Recommendation:** Staff makes no recommendation.

- 12     [16-0066](#)     Ratify Cities Association Appointments of Mayor Hendricks to the County of Santa Clara Airport Land Use Commission and Councilmember Davis to the Association of Bay Area Governments Executive Board

**Recommendation:** Staff makes no recommendation.

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

**NON-AGENDA ITEMS & COMMENTS**

-Council

-City Manager

**INFORMATION ONLY REPORTS/ITEMS**

[16-0069](#)     Tentative Council Meeting Agenda Calendar

[16-0505](#)     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).*