



City of Sunnyvale

Notice and Agenda - Revised City Council

Tuesday, October 3, 2017

5:30 PM

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

Special Meetings: Closed Session- 5:30 PM | Study Session- 6 PM | Regular Meeting- 7 PM

5:30 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

[17-0862](#)

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

Property: 1050 Innovation Way and 1060 Innovation Way,
Sunnyvale (a portion of the former Onizuka Air Force Station)
Agency negotiator: Kent Steffens, Interim City Manager; Craig
Mobeck, Interim Director of Public Works

Negotiating parties: Four Corner Properties, Google, Inc.,
Grupo SEB DBA Concept Silicon Valley LLC and Jay Paul
Company

Under negotiation: Price and Terms of Payment

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**[17-0786](#)

Evaluation of Work Plan for New Revenue Strategies to Fund New and Increasing Service Demands and/or Unfunded Capital Investments (Study Issue)

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**[17-0352](#)

SPECIAL ORDER OF THE DAY - Arts and Humanities Month

[17-0881](#)

SPECIAL ORDER OF THE DAY - National Breast Cancer Awareness Month

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** [17-0187](#) 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** [17-0830](#) Award a Contract for Climate Action Plan 2.0 Technical Development and Community Engagement Services (F17-151)

Recommendation: 1) Award a contract not to exceed \$235,480 to DNV GL for Climate Action Plan (CAP) 2.0 technical development and community engagement services, in substantially the same form as Attachment 1 to the report, and authorize the City Manager to execute the contract when all necessary conditions have been met; and 2) approve a contract contingency in the amount of \$14,000.

- 1.C** [17-0836](#) Award of Bid No. PW17-34 for the Street Lights Conduit Replacement Project (ST-16-04) and finding of California Environmental Quality Act (CEQA) Categorical Exemption

Recommendation: 1) Make a finding of California Environmental Quality Act (CEQA) Categorical Exemption pursuant to CEQA Guidelines Section 15301 as the project relates to existing public facilities (street lights) involving negligible or no expansion of use beyond that presently existing. 2) Award a contract, in substantially the same form as Attachment No. 2 to the report, and in the amount of \$120,320, to Columbia Electric, Inc. of San Leandro, California for the Street Light Conduit Replacement, and authorize the City Manager to execute the contract when all necessary conditions have been met; and 3) approve a 10% construction contingency in the amount of \$12,032.

- 1.D [17-0773](#) Award of Contract for Traffic Signal Timing and Optimization (F17-106)

Recommendation: 1) Award a contract in substantially the same form as Attachment 1 to the report and in the amount of \$162,520 to DKS Associates for professional engineering services for the Signal Coordination Timing and Coordination Optimization Project and authorize the City Manager to execute the contract when all necessary conditions have been met; and 2) approve a 10% contract contingency for the project.

- 1.E [17-0775](#) Adopt the City's Investment Policy for Fiscal Year 2017/18 and Receive the Annual Performance Report for Fiscal Year 2016/17

Recommendation: Adopt the City's Investment Policy for FY 2017/18.

- 1.F [17-0777](#) Review and File the City of Sunnyvale Other Post-Employment (OPEB) Trust Account Investment Summary and Approve the Investment Policy Statement as Amended and Presented

Recommendation: Find that the action does not require environmental review pursuant to California Environmental Quality Act Guidelines Section 15378(b)(4), and review and file the City of Sunnyvale Other Post-Employment (OPEB) Trust Account Investment Summary and approve the Investment Policy Statement as amended and presented in Attachment 2 to the report.

- 1.G [17-0958](#) Adopt Ordinance No. 3125-17 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 to Update the Existing Prohibition Against Commercial Marijuana Activity in the City to include Non-Medical Marijuana, to Reasonably Regulate Indoor Personal Cultivation of Marijuana Consistent with State Law, and to Prohibit Outdoor Personal Cultivation of Marijuana

Recommendation: Adopt Ordinance No. 3125-17.

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 [16-0618](#) Consider Below Market Rate Alternative Compliance Plans for Residential Developments at 803 W. El Camino Real (Pastoria Corners) and 871 E. Fremont Avenue (Butcher's Corner).
Applicant: De Anza Properties; Planning Files 2016-7568 and 2016-7569

Recommendation: Alternatives 1 and 3: 1) Approve the Applicant's Below Market Rate Alternative Compliance Plan for Pastoria Corners, located at 803 W. El Camino Real, as shown in Attachment 2 to the report; and 3) Approve the Applicant's Below Market Rate Alternative Compliance Plan for Butcher's Corner, located at 871 E. Fremont Avenue, as shown in Attachment 3 to the report.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- [17-0681](#) Tentative Council Meeting Agenda Calendar
- [17-0851](#) Information/Action Items
- [17-0943](#) Appointed Members to the Climate Action Plan (CAP 2.0) Advisory Committee (Information Only)
- [17-0886](#) Joint City Council and Arts Commission Study Session
Summary of August 15, 2017 - Master Plan for Public Art

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 35.160 (b) (1))

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" available on the City website at sunnyvale.ca.gov.

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 <https://sunnyvaleca.legistar.com> for upcoming Council, board and commission meeting information.

