



City of Sunnyvale

Notice and Agenda City Council

Tuesday, October 17, 2017

5:00 PM

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

**Special Meetings: Closed Session- 5 PM | Joint Study Session with Bicycle and
Pedestrian Advisory Commission- 5:30 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

[17-0695](#)

Closed Session held pursuant to California Government Code
Section 54957.6: CONFERENCE WITH LABOR
NEGOTIATORS

Agency designated representatives: Kent Steffens, Interim City
Manager; Teri Silva, Interim Assistant City Manager; Anthony
Giles, Interim Director of Human Resources
Employee organization: Communication Officers Association
(COA)

5 Adjourn Special Meeting

5:30 P.M. SPECIAL COUNCIL MEETING (Joint Study Session with the Bicycle and Pedestrian Advisory Commission)

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

2 Roll Call

3 Public Comment**4 Joint Study Session**

[17-0578](#) Caltrain Grade Separation Feasibility Study

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**

[17-0815](#) SPECIAL ORDER OF THE DAY - Freedom from Workplace Bullying Week

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 [17-0237](#) Approve City Council Meeting Minutes of September 26, 2017

Recommendation: Approve the City Council Meeting Minutes of September 26, 2017 as submitted.

- 1.B [17-0430](#) Approve City Council Meeting Minutes of October 3, 2017

Recommendation: Approve the City Council Meeting Minutes of October 3, 2017 as submitted.

- 1.C [17-0189](#) 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 [17-0850](#) Authorize the Issuance of a Purchase Order for One Aggregate Chip Spreader (F18-005) in the amount of \$274,680 and Approve Budget Modification No. 16

Recommendation: Authorize the issuance of a Purchase Order in the amount of \$274,680, in substantially the same form as Attachment 2 to the report, to EDECO Southwest Service Company, LLC for one (1) Aggregate Chip Spreader and Approve Budget Modification No. 16 in the amount of \$304,680.

- 1.E [17-0861](#) Authorize the issuance of a Purchase Order for the Purchase of Four Printed Seasonal Activity Guides (F18-026) for the Department of Library and Community Services

Recommendation: 1) Authorize the issuance of a Purchase Order in the amount of \$110,240 to Almaden Press to produce four Printed Seasonal Activity Guides; and 2) Authorize the City Manager to approve change orders to the Purchase Order within the bid amount of \$110,240.

- 1.F [17-0866](#) Award of Contract for Consulting Engineering and Establishing Jurisdictional Partnerships at the Sunnyvale Materials Recovery and Transfer Station (F17-141), Find that the Action is Exempt from CEQA Pursuant to CEQA Guidelines Section

15262, and Approve Budget Modification No.13

Recommendation: 1) Award a contract in an amount not to exceed \$266,815 to HDR Engineering, Inc. to provide professional services for the development and implementation of institutional infrastructure, multi-jurisdictional strategic planning, and conceptual design 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 10% contract contingency in the amount of \$26,682, and 3) Find that the Action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15262 (Feasibility and Planning Studies), and 4) Approve Budget Modification No.13 in the amount of \$93,497.

1.G [17-0893](#) Award of Contract to Recondition the Harris/AMFAB Transpack Compactor at the SMaRT Station (F18-004) and Finding of CEQA Categorical Exemption

Recommendation: 1) Make a finding of California Environmental Quality Act (CEQA) Categorical Exemption pursuant to CEQA guidelines Section 15301 for maintenance or repair of existing facilities involving negligible or no expansion of use beyond which presently exists; 2) Award a contract in substantially the same form as Attachment 2 to the report and in the amount of \$168,700 to Western Baler & Conveyor, Inc. and authorize the City Manager to execute the contract when all necessary conditions have been met; and 3) approve a 10% contingency for the project

1.H [17-0942](#) Office of Emergency Services Project Update and Approval of Budget Modification No. 17 in the Amount of \$200,000 for the Completion of Disaster Preparedness Plans, Purchase of Emergency Shelter Supplies, and Upgrades to the Department of Public Safety Office of Emergency Services Communications Systems

Recommendation: Approve Budget Modification No. 17 in the amount of \$200,000 to fund Office of Emergency Services project activities including Disaster Preparedness Plans, Emergency Shelter Supplies, and Communications Systems Upgrades.

1.I [17-0951](#) Approve the 2018 Sustainability Speaker Series

Recommendation: Approve the 2018 Sustainability Speaker Series Topics as proposed by the Sustainability Commission, with the proviso that implementation of up to six events in 2018 will be contingent on speaker availability, staffing resources, and available budget.

1.J [17-0960](#) Appoint Maria Lucero to the NOVA Workforce Board

Recommendation: Appoint Ms. Maria Lucero to the NOVA Workforce Board.

1.K [17-0968](#) Adopt Resolutions Approving Amendments to the City's Contribution for CalPERS Medical Insurance for Management, SEA, Confidential and SEIU Employees and Annuitants (Retirees)

Recommendation: Adopt two resolutions: (1) setting the employer's contribution under the Public Employee's Medical and Hospital Care Act ("PEMHCA") for 2018, and (2) amending Salary Resolution No. 190-05 to modify the City's contribution for medical insurance for Management, SEA, Confidential and SEIU employees and annuitants.

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 [17-0892](#) Proposed Project: Introduction of Ordinance to REZONE 24 Contiguous Single Family Home Lots from R-0 (Low Density Residential) to R-0/S (Low Density Residential/Single-Story) and One Single Family Home Lot (with 2 assessor parcels) from R-0/PD (Low Density Residential/Planned Development) to R-0/S/PD (Low Density Residential/Single-Story/Planned Development) (25 lots total)
File #: 2017-7565
Location: 1666-1698 Swallow Drive (Assessor Parcel Number 313-41-010 thru 012, 313-41-027 and 028), 1104-1121 Lorne Way (APNs 313-41-013 thru 026), 1103-1111 Homestead Road (APNs 313-41-005 thru 009) and 18771 East

Homestead Road (APNs 313-41-070 and 071).
Zoning: R-0 and R-0/PD for 18771 Homestead Road
Applicant / Owner: Craig Milito (plus multiple owners)
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) (a general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA).

Recommendation: Alternatives 1 and 4: 1) Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 and 15061(b)(3); and, 4) Deny the rezone.

- 3 [17-0897](#) Proposed Project: Introduction of Ordinance to REZONE 35 Contiguous Single Family Home Lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)
File #: 2017-7556
Location: 801-819 Allison Way (APNs: 323-03-023 through 323-03-026 and APNs: 323-04-034 through 323-04-036), 1315-1381 Lennox Way (APNs: 323-03-027 through 323-03-038), 804-816 Lennox Court (APNs: 323-03-039 through 323-03-042), 801-814 Blanchard Way (APNs: 323-03-043 through 323-03-045 and APNs: 323-04-025 through 323-04-027), and 801-814 Beaverton Court (APNs: 323-04-028 through 323-04-033).
Zoning: R-1
Applicant / Owner: Tom Verbure (plus multiple owners)
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) (a general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA).

Recommendation: Alternatives 1 and 2: 1) Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 and 15061(b)(3); and, 2) Introduce an Ordinance (Attachment 6 of the report) to Rezone 35 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story).

- 4 [17-0934](#) Study of Accessory Dwelling Unit Development Standards: Introduce an Ordinance Amending Sunnyvale Municipal Code Section 19.68.040 Accessory Dwelling Units (ADUs), Adopt a Resolution Amending the Master Fee Schedule to Impose Transportation Impact Fees for Accessory Dwelling Units, and Find that these Actions are Exempt from CEQA.

Recommendation: Alternatives 1, 5, 8, 11, 13 and 14: 1) Introduce an ordinance to reduce the minimum lot size for Accessory Dwelling Units (ADUs) to 8,000 square feet in the R-1 zoning district and to 7,000 square feet in the R-0 zoning district; 5) Retain the 20-year owner-occupancy requirement and deed restriction; 8) Adopt a Resolution amending the Master Fee Schedule to establish the Transportation Impact Fee (TIF) for ADUs as the same as the multi-family rate (Attachment 8 to the report); 11) Modify the requirement that the entry door of ADU not face the public street (included in proposed ordinance, Attachment 7 of the report); 13) Find that the amendments to Sunnyvale Municipal Code Section 19.68.040 are exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 15378(b)(4); and 14) Find that the amendments to the Master Fee Schedule are exempt from CEQA pursuant to CEQA Guidelines Section 15378(b)(4).

- 5 [17-0762](#) Establish the Total Number of Members of the 2017/18 Charter Review Committee to Consider Amendments to Charter Section 604, Provide Direction on the Selection Process for Committee Membership, and Direct Staff to Set the Appointment of Committee Members for a Future Council Meeting

Recommendation: Staff makes no recommendation.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**NON-AGENDA ITEMS & COMMENTS**

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

<u>17-0750</u>	Tentative Council Meeting Agenda Calendar
<u>17-0852</u>	Information/Action Items
<u>17-0891</u>	Study Session Summary of October 3, 2017 - Evaluation of Work Plan for New Revenue Strategies to Fund New and Increasing Service Demands and/or Unfunded Capital Investments (Study Issue)
<u>17-0225</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 35.160 (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.