



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, July 31, 2018

4:00 PM

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

**Special Meetings: Closed Session - 4:00 PM | Study Session - 5:30 PM | Open House -
6:30 PM | Regular Meeting - 7 PM**

4:00 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

[18-0614](#)

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

Property: APN 213-12-001 1142 Dahlia Court/1197 Lily
Avenue (commonly referred to as Corn Palace)

Agency negotiator: City Manager Kent Steffens; Director of
Community of Development Trudi Ryan; Director of Public
Works Chip Taylor; City Property Administrator Sherine Nafie

Negotiating parties: Gabriel Francia Trustee, or authorized
buyer (currently TrumarkHomes LLC)

Under negotiation: Price and terms of payment

[18-0686](#)

Closed Session held pursuant to California Government Code Section 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: 1484 Kifer Road, Sunnyvale, CA

Agency negotiator: Kent Steffens, City Manager; Chip Taylor, Director of Public Works; and Sherine Nafie, City Property Administrator

Negotiating parties: Four Corners Properties LLC; Simeon LLC and Essex Property Trust, Inc.; and Youland Smarthome LLC

Under negotiation: Price and Terms of Payment

5. Adjourn Special Meeting

5:30 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

[18-0504](#)

El Camino Real Corridor Specific Plan - Presentation of Design Examples

5. Adjourn Special Meeting

6:30 P.M. SPECIAL COUNCIL MEETING (Open House)

1. Call to Order at the Sunnyvale Public Library Plaza (Open to the Public)

2. Roll Call

3. Open House

[18-0535](#)

Open House - Waymo Driverless Cars

Location: Sunnyvale Public Library (Plaza in front of Library), 665 W Olive Ave, Sunnyvale, CA 94086

4. 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****ORAL COMMUNICATIONS**

This category provides an opportunity for members of the public to address the City 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 the Council 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 [18-0605](#) Approve City Council Meeting Minutes of July 17, 2018

Recommendation: Approve the City Council Meeting Minutes of July 17, 2018 as submitted.

- 1.B** [17-1116](#) 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** [18-0591](#) Authorize the Issuance of a Blanket Purchase Order for Cooperative Purchase of Industrial and Commercial Supplies (F18-249)

Recommendation: 1) Approve the issuance of a blanket purchase order to Grainger for the purchase of industrial and commercial supplies in an amount not to exceed \$200,000, in substantially the same form as Attachment 2 to the report and in accordance with the State of California NASPO ValuePoint Master Agreement; 2) Authorize the City Manager to increase the not to exceed amount to the amount of the budgeted appropriations and to renew the purchase order for four additional one-year periods provided that pricing and service remain acceptable to the City.

- 1.D** [18-0603](#) Award of Contract for Professional Design Services Associated with the Golf Building Renovations at Sunken Gardens (F18-188)

Recommendation: 1) Award a contract, in substantially the same form as Attachment 1 to the report and in an amount not to exceed \$168,877, and authorize the City Manager to execute the contract when all the necessary conditions have been met; 2) approve a contract contingency in the amount of \$16,888; and 3) Find that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15301 and 15378(a).

- 1.E** [18-0335](#) Adopt Resolutions Authorizing the City Manager or His Designee to Execute Agreements for Purchase of Certain Real Estate Rights and Acceptance of Easements, and Adopt a Resolution Summarily Vacating Existing Aerial Easements, all in Relation to the Fair Oaks Avenue Overhead Bridge Rehabilitation Project

Recommendation: 1. Adopt a resolution authorizing the City Manager or his designee to execute:

- * Agreement for Purchase of Certain Real Property Rights with HD Development of Maryland Inc.;
- * Application for Custom Work agreement with AT&T located on HD Development of Maryland Inc. property;
- * Acceptance of easements from HD Development of Maryland Inc. in relation to the Fair Oaks Avenue Overhead Bridge Rehabilitation Project;
- * A Landscape Agreement with HD Development of Maryland Inc.

2. Adopt a resolution authorizing the City Manager or his designee to execute:

- * Agreement for Purchase of Certain Real Property Rights with Monument 3: Realty Fund VII, LTD. and Monument 3: Realty Fund VIII, LTD;
- * Acceptance of easements from Monument 3: Realty Fund VII, LTD. and Monument 3: Realty Fund VIII, LTD, in relation to the Fair Oaks Avenue Overhead Bridge Rehabilitation Project; and

3. Adopt a resolution summarily vacating existing aerial easements related to the Fair Oaks Avenue Overhead Bridge Rehabilitation Project.

- 1.F** [18-0613](#) Award of Contract for Consultant Services to Develop Sunnyvale Housing Strategy (F18-202)

Recommendation: Award a contract to BAE Urban Economics to develop the Sunnyvale Housing Strategy in an amount not-to-exceed \$198,916, in substantially the same form as Attachment 1 to the report, and authorize the City Manager to execute the contract when all the necessary conditions have been met.

- 1.G** [18-0616](#) Authorize the Issuance of a Purchase Order for five (5) John Deere 1550 Terrain-Cut Commercial Front Mowers (F18-280)

Recommendation: 1) Approve the issuance of a purchase order to Deere & Company in the amount of \$104,499.10 (not including sales tax) in substantially the same form as Attachment 1 to the report.

- 1.H** [18-0531](#) Acceptance of the Systemic Safety Analysis Report Program grant funds from CalTrans, Award of contract for Roadway Safety Plan as part of the Systemic Safety Analysis Report Program (SSARP) (F18-192), and approval of Budget Modification No. 1

Recommendation: 1) Accept the Systemic Safety Analysis Report Program grant funds from CalTrans, 2) Award a contract, in substantially the same form as Attachment 1 to the report and in an amount not to exceed \$249,276 to Fehr & Peers, and authorize the City Manager to execute the contract when all the necessary conditions have been met; 3) approve a 10% contingency in the amount of \$24,928; and 4) approve Budget Modification No. 1 in the amount of \$280,000 for project award, recognizing grant funds and appropriate matching funds.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearing/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. [18-0675](#) Introduce an Ordinance Enacting and Adopting a New Chapter 9.43 to the Sunnyvale Municipal Code to Regulate Licensed Firearms Dealers and to Prohibit Licensed Firearms Dealers from Selling, Delivering, or Giving Possession of a Semiautomatic Centerfire Rifle to any Person Under 21 Years of Age.

Recommendation: Alternative 1: Introduce an Ordinance Enacting and Adopting a New Chapter 9.43 to the Sunnyvale Municipal Code to Regulate Licensed Firearms Dealers and to Prohibit Licensed Firearms Dealers from Selling, Delivering, or Giving Possession of a Semiautomatic Centerfire Rifle to any Person Under 21 Years of Age.

3. [18-0489](#) Consider Amending the City of Sunnyvale's Minimum Wage Ordinance to Delay the Start of Annual Consumer Price Index Adjustments from January 1, 2019 to January 1, 2020

Recommendation: Staff makes no recommendation.

4. [18-0636](#)

File #: 2017-7765

Location: 814 Coolidge Avenue (APN: 165-17-017)

Zoning: R-2 (Low Medium Density Residential)

Proposed Project:

Appeal by the Applicant of a Planning Commission decision to deny a Design Review and Variance to allow a new one-story single family home resulting in 1,963 square feet (1,640 square feet of living area and 323 square foot one-car garage) and 49% floor area ratio on a 4,000-square foot lot (FAR greater than 45% requires Planning Commission review) with the following requested variances:

- 10-15-foot front yard setback where 20 feet minimum is required;
- 7 foot 2-inch combined side yard setback where 10-foot minimum is required;
- One-covered parking space where two-covered parking spaces are required; and,
- No uncovered parking spaces where two-uncovered parking spaces are required (subsequently revised to provide one uncovered space with substandard length of 18 feet).

Applicant / Owner: Joe and Raquel Fanucchi (applicant / owner)

Environmental Review: Class 1 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions that include minor additions to an existing single-family residence (CEQA Guidelines Section 15301).

Project Planner: Cindy Hom, (408) 730-7411,
chom@sunnyvale.ca.gov

Recommendation: Alternative 2: Grant the appeal and approve the Design Review and Variances as requested by the applicant to allow variances for front yard setback, combined side yard setback, lot coverage, one covered parking space and one uncovered parking space with reduced length of 18 feet, subject to the findings in Attachment 3 and Conditions of Approval in Attachment 4 of the report.

5. [18-0597](#) Proposed Project: Related applications on an 8.09-acre site:
DESIGN REVIEW PERMIT AND USE PERMIT: To allow site
and building modifications to an existing office building
complex resulting in 7,449 net new square footage (42% FAR)
on an 8.09-acre site developed with (4) three-story buildings
and various site improvements and a request to utilize square
footage from the city-wide development reserve.
Location: 1230-1290 Oakmead Parkway (APN: 216-44-124)
File #: 2017-7886
Zoning: Manufacturing and Services (M-S)
Applicant / Owner: Embarcadero Realty Services (Applicant) /
Oakmead Terrace LLC (owner)
Environmental Review: Class 1 Categorical Exemption relieves
this project from the California Environmental Quality Act
(CEQA) provisions that include additions less than 10,000 to
existing structures [CEQA Guidelines Section 15301 (e)(2)].
Project Planner: Cindy Hom, (408) 730-7411,
chom@sunnyvale.ca.gov

Recommendation: Alternative 2: Approve the Design Review and Use Permit
subject to the Findings in Attachment 4 and Conditions of
Approval in Attachment 5 to the report, that include reduced
Transportation Demand Management Trip reduction
requirements.

6. [18-0415](#) Planning for Post-2021 Solid Waste & Recycling Collection Franchise (Study Issue ESD 18-02)

Recommendation: Alternatives 1, 2, 3 and 4:

Alternative 1: Find that the actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15262 and 15738(b)(5).

Alternative 2: Adopt the communications guidelines shown as Attachment 1 to the report.

Alternative 3: Direct staff to proceed with assessment of the performance of the current franchisee (Bay Counties Waste Services).

Alternative 4: Direct staff to provide the performance review results and ask Council for direction on whether to conduct a single source or a competitive process for an award of a new franchise and agreement.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

[18-0606](#) Tentative Council Meeting Agenda Calendar

[18-0607](#) Information/Action Items

[18-0608](#) 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.