



City of Sunnyvale

Notice and Agenda City Council

Tuesday, September 11, 2018

6:00 PM

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

Special Meetings: Study Session - 6 P.M. | Regular Meeting - 7 P.M.

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

[18-0774](#)

Review of the Civic Center Master Plan Final Environmental
Impact Report

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

SPECIAL ORDER OF THE DAY

[18-0766](#)

National Suicide Prevention Awareness Month

[18-0789](#)

Emergency Preparedness Month

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 [18-0718](#) Approve City Council Meeting Minutes of August 28, 2018

Recommendation: Approve the City Council Meeting Minutes of August 28, 2018, as submitted.

- 1.B [17-1119](#) 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 [18-0682](#) Receive and File the City of Sunnyvale Investment Report - Second Quarter 2018

Recommendation: Receive and file the City of Sunnyvale FY 2017/18 - Second Quarter 2018 (Period 13) Investment Report.

- 1.D [18-0763](#) Consider an Extension of the Exclusive Negotiating Agreement (ENA) with The Related Companies of California, LLC for Development of Affordable Housing on City Property Located at 441-499 W. Iowa Avenue (APNs 165-130-74, 165-130-46, 165-130-68, 165-130-45, 165-130-73, and 165-130-69 - Also Known as Block 15)

Recommendation: Authorize the extension of Exclusive Negotiating Agreement with The Related Companies of California, LLC for the development of the affordable housing project on Block 15 for a period of two (2) months; and authorize the City Manager to sign the extension letter in substantially the same form as Attachment 1 to the report.

- 1.E [18-0794](#) Adopt Ordinance No. 3136-18 Amending the Precise Zoning Plan, Zoning Districts Map, to rezone certain properties located at 932 Eleanor Way and 1358 Hampton Drive from R-1 (Low Density Residential) to R-0 (Low Density Residential)

Recommendation: Adopt Ordinance No. 3136-18

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. [18-0624](#) Approve City's Response to the 2017-2018 Santa Clara County Civil Grand Jury Report Titled, "Affordable Housing Crisis: Density is our Destiny".

Recommendation: Alternative 1: Approve the City's response to the 2017-2018 Santa Clara County Civil Grand Jury report as presented in Attachment 1 to the report and authorize the Mayor to sign the response.

3. [18-0717](#) Introduce an Ordinance to Amend Section 3.80.040 of Sunnyvale's Minimum Wage Ordinance to Delay Future Consumer Price Index (CPI) Adjustments from January 1, 2019 to January 1, 2020, and Limit Future CPI Increases to a Maximum of Five (5) Percent

Recommendation: Alternative 1: Introduce an Ordinance to Amend Section 3.80.040 of Sunnyvale's Minimum Wage Ordinance to delay future CPI adjustments from January 1, 2019 to January 1, 2020, and limit future CPI increases to a maximum of five (5) percent.

4. [18-0677](#) File #: 2017-7379

Location: 311 South Mathilda Avenue (APN: 165-13-050)
Proposed Project: Appeal by the Residents of Charles Street 300/400 Block of a decision by the Planning Commission to conditionally approve:
SPECIAL DEVELOPMENT PERMIT to redevelop a commercial site (Denny's) into a five-story mixed-use building consisting of 4,860 square feet of restaurant floor area (Denny's) and 75 residential units (rental apartments) utilizing the State Density Bonus and City's Green Building Incentive for density bonus.
VESTING TENTATIVE MAP to create 75 residential condominium units and 1 commercial condominium unit.
Zoning: DSP15 - Downtown Specific Plan Block 15
Applicant / Owner: Lane Partners (applicant) / C B Development 5no Five Inc (owner)
Environmental Review: Mitigated Negative Declaration
Project Planner: Momoko Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

Recommendation: Alternative 1: Deny the appeal and affirm the Planning Commission's determination to adopt the Mitigated Negative Declaration, and affirm the approval of the Special Development Permit and Vesting Tentative Map subject to the revised recommended conditions of approval in Attachment 4 of the report, and direct that the request for traffic calming and permit parking be reviewed 6-12 months after project completion.

5. [18-0630](#) Adopt a Resolution Appointing the Bay Area Water Supply & Conservation Agency as the City's Authorized Representative to Negotiate Amendments to the 2009 Water Supply Agreement with San Francisco Public Utilities Commission

Recommendation: Alternative 1: Adopt the Resolution appointing the Bay Area Water Supply & Conservation Agency (BAWSCA) as the City's authorized representative to negotiate amendments to the 2009 Water Supply Agreement with the SFPUC.

6. [18-0705](#) Approve City Position on Proposed League of California Cities' 2018 Annual Conference Resolutions

Recommendation: Approve a support position for the proposed Resolution #1, Local Municipal Authority, Control, and Revenue; and take no position for the proposed Resolution #2, Repeal Preemption of Regulating Pesticides, and authorize the City's voting delegate/alternates to cast votes consistent with the City Council's adopted positions.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

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|--------------------------------|---|
| <u>18-0562</u> | Tentative Council Meeting Agenda Calendar |
| <u>18-0586</u> | Information/Action Items |
| <u>18-0712</u> | Boards and Commission 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.