



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, October 16, 2018

5:00 PM

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

Special Meeting: Closed Session- 5 PM | Regular Meeting- 7 PM

**Special Meeting: Joint Meeting of the City Council and the Redevelopment Successor
Agency - immediately following the Regular City Council 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

[18-0864](#)

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

Property: "Block 15 Affordable Housing Site" located at
365-407 S. Mathilda Avenue and 388-406 Charles Street
(APNs 165-13-045, 165-13-046, 165-13-068, 165-13-069,
165-13-073, 165-13-074)

City negotiators: City Manager Kent Steffens, Director of
Community Development Trudi Ryan

Negotiating parties: The Related Companies of California, LLC
Under negotiation: Price and terms of payment for a proposed
long-term ground lease of City property (Disposition and
Development Agreement)

[18-0354](#)

Closed Session held pursuant to California Government Code
Section 54957: PUBLIC EMPLOYEE PERFORMANCE

EVALUATION

Title: City Manager

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****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** [18-0816](#) Approve City Council Special Meeting Minutes of August 23, 2018

Recommendation: Approve the City Council Special Meeting Minutes of August 23, 2018, as submitted.

- 1.B [18-0817](#) Approve City Council Special Meeting Minutes of September 5, 2018

Recommendation: Approve the City Council Special Meeting Minutes of September 5, 2018, as submitted.

- 1.C [18-0818](#) Approve City Council Meeting Minutes of September 11, 2018

Recommendation: Approve the City Council Meeting Minutes of September 11, 2018, as submitted.

- 1.D [18-0819](#) Approve City Council Meeting Minutes of September 25, 2018

Recommendation: Approve the City Council Meeting Minutes of September 25, 2018, as submitted.

- 1.E [18-0820](#) Approve City Council Special Meeting Minutes of October 2, 2018

Recommendation: Approve the City Council Special Meeting Minutes of October 2, 2018, as submitted.

- 1.F [17-1136](#) 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.G [18-0707](#) Adopt a Resolution of Intention Ordering the Proposed Vacation of a Portion of Carl Road Westerly of Borregas Avenue and Set the Public Hearing Date for November 13, 2018

Recommendation: Adopt the Resolution of Intention Ordering the Proposed Vacation of a Portion of Carl Road Westerly of Borregas Avenue and Set the Public Hearing Date for November 13, 2018.

- 1.H [18-0811](#) 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 Employees' Medical and Hospital Care Act ("PEMHCA") for 2019, 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.

- 1.I [18-0772](#) Amend an Existing Agreement for Design and Construction Support Services (F16-140) and Approve an Increase to Construction Contract Contingency (UW-16-01) and Finding of California Environmental Quality Act (CEQA) Categorical Exemption for Citywide Waterline Replacement 2017 (PW18-01)

Recommendation: 1) Authorize the City Manager to execute a First Amendment to the agreement with Bellecci & Associates, Inc. in substantially the same form as Attachment 1 to the report, increasing the not-to-exceed contract amount from \$222,415 to \$244,405, and increasing the contingency amount from \$22,242 to \$24,441; 2) Approve an increase to the contingency amount for Northern Underground Construction, Inc. in an amount of \$363,000, increasing the construction contingency from \$366,061 to \$729,061; and 3) Find that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302 (c).

- 1.J [18-0843](#) Approve an Agreement between the City of Sunnyvale and Unique Boutique for the Operations of a Gift Shop at the Sunnyvale Senior Center

Recommendation: Approve and Authorize the City Manager to execute an Agreement with Unique Boutique for the Operations of a Gift Shop at the Sunnyvale Senior Center.

- 1.K [18-0901](#) Ratify Appointment of Councilmember Nancy Smith to the League of California Cities Peninsula Division as the Legislative Action Committee Representative-Santa Clara for the 2018/2019 Term and Appointment to the League's Women's Caucus as 2nd Vice President for the 2018/2019 Term

Recommendation: If Council approves the Consent Calendar, it will be ratifying Councilmember Smith's appointment to the League of California Cities Peninsula Division as the Legislative Action Committee Representative-Santa Clara for the 2018/2019 Term and Appointment to the League's Women's Caucus as 2nd Vice President for the 2018/2019 Term

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. [18-0010](#) Appoint Applicants to the Arts Commission, Bicycle and Pedestrian Advisory Commission, Heritage Preservation Commission, Housing and Human Services Commission, and Parks and Recreation Commission

Recommendation: Staff makes no recommendation.

3. [18-0850](#) Introduce an Ordinance to Amend Section 3.80.040 of Sunnyvale's Minimum Wage Ordinance to Limit Future Consumer Price Index (CPI) increased to a Maximum of Five (5) Percent and Update the name of CPI index from the San Francisco-Oakland-San Jose to the San Francisco-Oakland-Hayward index

Recommendation: Alternative 1: Introduce an Ordinance to Amend Section 3.80.040 of Sunnyvale's Minimum Wage Ordinance to Limit Future Consumer Price Index (CPI) increased to a Maximum of Five (5) Percent and Update the name of CPI index from the San Francisco-Oakland-San Jose to the San Francisco-Oakland-Hayward index.

4. [18-0646](#) Approval of the Conceptual Design for the Fair Oaks Park Renovation Project

Recommendation: Alternative 1: Approve the conceptual design for the Fair Oaks Park Renovation Project as shown on the Preferred Site Plan (Attachment 2 of the report) with direction to include a dog park along Wolfe Road and authorize staff to proceed with detailed design and preparation of bid documents.

5. [18-0804](#) Adopt Positions on State and Local Ballot Measures for the November 6, 2018 Election

Recommendation: Alternative 1:

1. Adopt the following staff-recommended positions on the ballot measures deemed City business, including any items where staff recommends Council remain neutral (take no position).

Support- Prop 1 Bonds for Housing Assistance Programs.

Support- Prop 2 Bonds for Housing Programs for the Mentally Ill

Support- Prop 3 Bonds for Water Supply, Watershed, Fish, Wildlife, Water Conveyance, and Groundwater Sustainability.

Oppose- Prop 5 Property Tax Base Transfer to Replacement Property

Oppose- Prop 6 Road Repair and Transportation Funding

Take No Position- Prop 10 Rent Control on Residential Property

Support- Measure K City of Sunnyvale Transit Occupation Tax

Support- Measure L City of Sunnyvale Charter Amendment Majority Vote

Support- Measure BB Santa Clara Unified School District School Bond

Support- Measure CC Fremont Union High School District School Bond 55% Vote

Support- Measure GG Sunnyvale School District School Bond 55% Vote

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager**INFORMATION ONLY REPORTS/ITEMS**

- | | |
|--------------------------------|--|
| <u>18-0752</u> | Tentative Council Meeting Agenda Calendar |
| <u>18-0771</u> | Information/Action Items |
| <u>18-0855</u> | Study Session Summary of July 31, 2018 - El Camino Real Corridor Specific Plan - Presentation of Design Examples |
| <u>18-0849</u> | Study Session Summary of September 11, 2018 - Civic Center Master Plan Final EIR Review |
| <u>18-0785</u> | Board/Commission Meeting Minutes |

ADJOURNMENT

Adjourn to Special Joint Meeting of the City Council and the Redevelopment Successor Agency

SPECIAL JOINT CITY COUNCIL AND REDEVELOPMENT SUCCESSOR AGENCY MEETING (immediately following the Regular Council Meeting)**CALL TO ORDER****ROLL CALL****PUBLIC COMMENT****CONSENT CALENDAR**

- 4.A [18-0884](#) Approve Joint Council and Redevelopment Successor Agency Special Meeting Minutes of April 11, 2017

Recommendation: Redevelopment Successor Agency:
Approve Joint City Council and Redevelopment Successor Agency Special Meeting Minutes of April 11, 2017 as submitted.

- 4.B [18-0885](#) Approve Redevelopment Successor Agency Special Meeting Minutes of April 24, 2018

Recommendation: Redevelopment Successor Agency:

Approve the Redevelopment Successor Agency Special Meeting Minutes of April 24, 2018 as submitted.

- 4.C** [18-0886](#) Approve Joint City Council and Redevelopment Successor Agency Special Meeting Minutes of June 26, 2018

Recommendation: Redevelopment Successor Agency:

Approve Joint City Council and Redevelopment Successor Agency Special Meeting Minutes of June 26, 2018 as submitted.

- 4.D** [18-0883](#) Adopt a Resolution Approving and Authorizing the Execution of Documents in Connection with the Removal of Property Under the 1998 Facility Lease between the City and the Former Redevelopment Agency of the City of Sunnyvale

Recommendation: City Council:

Adopt the Resolution (Attachment 5 of the Report) authorizing and approving the removal of the Macy's Surface Parking Lot parcel (Lot 1 of Block 6, as shown on that certain Final Map (Tract No. 9925), entitled "Sunnyvale Town Center", filed October 1, 2007 in Book 818 of Maps at Page 45 through 55 inclusive, Records of Santa Clara County, from the Facility Lease in accordance with the provisions of Section 2.06 of the Facility Lease and authorizing the Mayor, City Manager, Director of Finance, City Clerk and all other officers and representatives of the City to do any and all things and take any and all actions, including execution and delivery of any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents, which they, or any of them, may deem necessary or advisable in order to consummate the removal of properties pursuant to the Resolution.

Redevelopment Successor Agency:

Adopt the Resolution (Attachment 6 to the Report) authorizing and approving the removal of the Macy's Surface Parking Lot parcel (Lot 1 of Block 6, as shown on that certain Final Map (Tract No. 9925), entitled "Sunnyvale Town Center", filed October 1, 2007 in Book 818 of Maps at Page 45 through 55 inclusive, Records of Santa Clara County, from the Facility Lease in accordance with the provisions of Section 2.06 of the Facility Lease and authorizing the Chair of the Agency, Executive Director, Secretary, Treasurer and all other officers and representatives of the Agency to do any and all things and take any and all actions, including execution and delivery of any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents, which they, or any of them, may deem necessary or advisable in order to consummate the removal of properties pursuant to the Resolution.

ADJOURN SPECIAL MEETING**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.

