



City of Sunnyvale

Notice and Agenda City Council

Tuesday, October 30, 2018

5:00 PM

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

**Special Meeting: Closed Session - 5 P.M. | Study Session - 6 P.M. |
Regular Meeting - 7 P.M.**

5:00 PM 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

[18-0904](#)

Closed Session held pursuant to California Government Code Section 54956.9:

LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Related to Notice of California Voting Rights Act Violation by Samir Kalra

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**

[18-0716](#) Presentation on Public Safety Bureau of Fire Services Standards of Cover

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

[18-0611](#) Ceremonial Oath of Office for Commission Members

PRESENTATION

[18-0950](#) Annual Report Presentation from Silicon Valley Clean Energy

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** [17-1137](#) 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** [18-0851](#) Award of Bid No. PW19-02 for Pavement Rehabilitation 2018 Project, and Finding of California Environmental Quality Act (CEQA) Categorical Exemption

Recommendation: 1) Make a finding of a California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines Section 15301 for the restoration or rehabilitation of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities, involving negligible or no expansion of use beyond that presently existing; 2) Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$928,283 to Interstate Grading & Paving, Inc. for the Pavement Rehabilitation 2018 Project, 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 \$92,828.

- 1.C** [18-0880](#) Approve Budget Modification No. 6 to Appropriate \$270,000 in one-time funding to Program 365 - Wastewater Treatment.

Recommendation: Approve Budget Modification No. 6 to appropriate \$270,000 in one-time funding to Program 365 - Wastewater Treatment.

- 1.D** [18-0926](#) Adopt Ordinance No. 3137-18 amending Section 3.80.040 of Chapter 3.80 (Minimum Wage) of Title 3 (Revenue and Finance) of the Sunnyvale Municipal Code related to Minimum Wage Consumer Price Index Increases

Recommendation: Adopt Ordinance No. 3137-18.

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. [18-0856](#) Adopt a Resolution to Establish 15 Mile Per Hour Speed Zones at 35 Locations Adjacent to 16 Public Schools in Sunnyvale, Find the Action is Categorically Exempt under CEQA and Approve Budget Modification No. 7 for \$107,600 for Installation of Signs

Recommendation: Staff recommends Alternative No. 1: Adopt the attached Resolution to create 15 mph speed zones at 35 locations adjacent to 16 public schools in Sunnyvale, find the action categorically exempt under California Environmental Quality Act Guidelines section 15301(c), and approve Budget Modification No. 7 to appropriate \$107,600 for installation costs.

3. [18-0882](#) File #: 2018-7048
Location: 669 & 673 Old San Francisco Rd. (APNs 209-17-050 & 209-17-051)
Proposed Project: Appeal by a neighbor of a decision by the Planning Commission to conditionally approve related applications on a .34-acre site:
SPECIAL DEVELOPMENT PERMIT and VESTING TENTATIVE MAP to allow a three-story six-unit townhouse development.
Zoning: R-3/PD
Applicant / Owner: Innovative Concepts / George Nejat
Environmental Review: Mitigated Negative Declaration
Project Planner: Ryan Kuchenig, (408) 730-7431, rkuchenig@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 recommended conditions of approval in Attachment 4 of the report.

4. [18-0719](#) Introduce an Ordinance Amending Chapter 5.36 (Taxicabs) of the Sunnyvale Municipal Code to Comply with State Law (AB

1069 and AB 939) and to Make Minor Operational Revisions

Recommendation: Alternative 1: Introduce an Ordinance Amending Chapter 5.36 (Taxicabs) of the Sunnyvale Municipal Code to comply with state law (AB1069 and AB 939) and to make minor operational revisions and find that the action is exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

5. [18-0853](#) Introduce an Ordinance to Amend Chapter 5.04 of the Sunnyvale Municipal Code - Business License Tax Ordinance to Reflect Changes to the Consumer Price Index Published by the United States Bureau of Labor Statistics

Recommendation: Introduce an ordinance to amend Section 5.04.110 of the Sunnyvale Municipal Code to reflect the changes to the Consumer Price Index adopted by the Bureau of Labor Statistics and find that the action is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15061 (b) (3).

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

[18-0907](#) Tentative Council Meeting Agenda Calendar

[18-0908](#) Information/Action Items

[18-0909](#) 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.