

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, OCTOBER 30, 2012
COUNCIL CHAMBERS and WEST CONFERENCE ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

6 P.M. SPECIAL COUNCIL MEETING (Study Session)

City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Study Session
 - a. Consideration of Non-Residential Parking Requirements
Staff Contact: Diana O'Dell, (408) 730-7257
4. Public Comment
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

SALUTE TO THE FLAG

ROLL CALL

SPECIAL ORDER OF THE DAY – Planning Commissioner Oath of Office

SPECIAL ORDER OF THE DAY – Santa Clara Valley Science and Engineering Fair Association 2012 Results (5 minutes)

PUBLIC ANNOUNCEMENTS

Each speaker is limited to three minutes for announcements of community events, programs, or recognition.

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, CA. during normal business hours and in the Council Chamber on the evening of the Council Meeting, pursuant to Government Code §54957.5.

CONSENT CALENDAR

- 1.A. MOTION Approval of Council Meeting Minutes of October 16, 2012
- 1.B. MOTION Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.C. MOTION List of Claims and Bills Approved for Payment by the City Manager – List
RTC 12-253 Nos. 629 & 630

Staff Recommendation: Approve the lists of bills.

Staff Contact: Pete Gonda, (408) 730-7418

- 1.D. MOTION Budget Modification No. 6 to Appropriate \$32,874 of California Juvenile
RTC 12-256 Justice Crime Prevention Act Grant Funds from Santa Clara County
Probation Office for Safe Summer Activities

Staff Recommendation: Alternative 1: Approve Budget Modification No. 6 to appropriate \$32,874 of California Juvenile Justice Crime Prevention Act Grant Funds from Santa Clara County Probation Office for Safe Summer Activities to a new project, FY 2012/2013 Safe Summer Activities Grant.

Staff Contact: Doug Moretto, (408) 730-7711

- 1.E. MOTION Approval of Final Loan Agreements with Garland Plaza Associates, L.P.
RTC 12-254 for Funding Conditionally Committed in FY 2011-12 to Assist the Garland
Plaza Apartments Rehabilitation Project

Staff Recommendation: Alternative 1: Approve the Housing Mitigation and HOME Loan agreements between the City and Garland Plaza Associates, L.P.

Staff Contact: Suzanne Isé, (408) 730-7698

Other Items

- 1.F. ORDINANCE Adopt Ordinance No. 2982-12 Amending the Precise Zoning Plan, Zoning
2982-12 Districts Map, to Rezone Certain Properties Located at 1101 North Fair
Oaks Avenue from M-S/ITR/R-3/PD (Industrial and Service Industrial to
Residential Medium Density Residential and Planned Development) to R-
4/PD (High Density Residential Planned Development) Zoning District

Staff Recommendation: Adopt Ordinance No. 2982-12.

Staff Contact: Michael Martello, (408) 730-7464

PUBLIC COMMENTS

*This category 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 three minutes per speaker**. If your subject is **not** on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. 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.*

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. MOTION 2012-7304 - Legacy Partners/Sunnyvale Business Park (Applicant/Owner):
RTC 12-257 600 W. California Avenue (APN:165-26-010)
- Special Development Permit for a new 106,617 square foot office/R&D building within Sunnyvale Business Park resulting in a 47.8% Floor Area Ratio;
 - Vesting Tentative Map to create one new lot in an existing campus with nine lots and one common lot; and
 - Mitigated Negative Declaration for the Special Development Permit and Vesting Tentative Map

Staff Recommendation: Alternative 1: Adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map with conditions; and Alternative 5: Authorize the City Manager to execute an Irrevocable License Agreement for use and maintenance of the public parking lot under the Mathilda overpass in essentially the same form.

Staff Contact: Noren Caliva-Lepe, (408) 730-7637

3. MOTION City Council Policy for Allocation of Park Dedication Fund
RTC 12-255

Staff Recommendation: Alternative 1: Adopt the Council Policy on Park Dedication Fee Allocation and Prioritization.

Staff Contact: Scott Morton, (408) 730-7596

4. MOTION Discussion and Possible Action on a Proposal to Amend the Agreement
RTC 12-252 with California Sports Center for Operation of Fremont Pool through August
31, 2013

Staff Recommendation: Alternative 1: Approve amendment to existing agreement between City and California Sports Center to extend agreement termination date from August 1, 2013 to August 31, 2013.

Staff Contact: Nancy Bolgard Steward, (408) 730-7342

5. MOTION Determine Caltrain Modernization Project Policy Advisory Group
Appointments

Staff Recommendation: Staff makes no recommendation.

Staff Contact: Jack Witthaus, (408) 730-7330

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- City Manager

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Draft Minutes of the Parks and Recreation Commission Meeting of October 10, 2012

ADJOURNMENT

Notice to the Public:

The agenda reports to council (RTC's) may be viewed on the City's Web site at <http://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. 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. (29 CFR 35.106 ADA Title II).

GUIDELINES FOR ADDRESSING THE CITY COUNCIL

- Speakers are to turn in a speaker card to the city clerk.
- Speakers are requested to give their name (address is optional).
- Time limit of three minutes per speaker (may be extended at discretion of mayor).

Public Announcements – Beginning of Council Meeting

- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community-wide interest that occur on an annual basis (only announce one time).

Public Comments

- Any item relevant to the City of Sunnyvale.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/general business section of the agenda at the discretion of the mayor). If your subject is not on the agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by the Council. Individuals are limited to one appearance during this section.

Public Hearing

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 5 minutes.
- Make comments brief and be prepared to provide new input.

Planning a presentation for a City Council/Planning Commission meeting?

To assist you in utilizing the technology available in the Council Chamber, the publication "*How to Make Your Council Chamber Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chamber prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at sunnyvale.ca.gov.

Planning to present 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.

SCHEDULED COUNCIL MEETINGS

DATE	MEETING	TIME	PLACE
October 30, 2012	Council Meeting	7 p.m.	Council Chambers
November 13, 2012	Council Meeting	7 p.m.	Council Chambers
November 20, 2012	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

Nov. 5, 2012	Board of Library Trustees	7 p.m.	Library Program Room
Nov. 7, 2012	Heritage Preservation Commission	7 p.m.	West Conference Room
Nov. 12, 2012	Planning Commission Study Session	7 p.m.	West Conference Room
Nov. 12, 2012	Planning Commission Public Hearing	8 p.m.	Council Chambers
Nov. 14, 2012	Zoning Administrator Hearing	p.m.	West Conference Room
Nov. 14, 2012	Parks and Recreation Commission	7 p.m.	Community Center Conference Room
Nov. 14, 2012	Housing and Human Services Commission	7 p.m.	West Conference Room
Nov. 15, 2012	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conference Room
Nov. 21, 2012	Arts Commission	7 p.m.	Community Center Conference Room
Nov. 26, 2012	Planning Commission Study Session	7 p.m.	West Conference Room

CHANNEL 15 – KSUN

For a complete schedule of KSUN-15 broadcasts, visit KSUN.inSunnyvale.com

October 30, 2012	City Council Meeting – Live	7 p.m.
October 31, 2012	City Council Meeting – Live	7 p.m.
November 4, 2012	City Council Meeting – Live	4 p.m.