

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, DECEMBER 4, 2012
COUNCIL CHAMBERS and WEST CONFERENCE ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

TELECONFERENCE NOTICE

Pursuant to Government Code Section 54953, Subdivision (b), the following Council meeting will include teleconference participation by Councilmember Chris Moylan from:

Hampton Inn and Suites, 26 Mill River Street, Stamford, Connecticut 06902

This Notice and Agenda will be posted at the teleconference location. Public comment from this address shall be allowed pursuant to Government Code Section 54954.3.

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. Discussion of Land Use Alternatives for East Sunnyvale ITR Expansion
Staff Contact: Shaunn Mendrin, (408) 730-7429
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

SALUTE TO THE FLAG

ROLL CALL

PUBLIC ANNOUNCEMENTS

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.

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

CONSENT CALENDAR

- 1.A. Approval of Council Meeting Minutes of November 20, 2012
- 1.B. Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.C. RTC 12-287 List of Claims and Bills Approved for Payment by the City Manager – List Nos. 634 and 635

Staff Recommendation: Approve the lists of bills.

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

- 1.D. RTC 12-285 Modify an Existing Contract for Temporary Agency Services for the Information Technology Department (F13-29)

Staff Recommendation: Approve a modification to the existing Blanket Purchase Order with Robert Half Technology by increasing the not-to-exceed value from \$40,400 to \$144,612.

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

- 1.E. RTC 12- 286 Approval of Budget Modification No. 22 to Appropriate California Department of Transportation Highway Safety Improvement Program Grants for Mathilda Avenue/Maude Avenue and Sunnyvale-Saratoga Road/ Fremont Avenue Projects

Staff Recommendation: Alternative 1: Approve Budget Modification No. 22 to appropriate California's Department of Transportation Highway and Safety Improvement Program grant and local matching funds to two new capital projects, Mathilda Avenue/Maude Avenue Safety Improvements and Sunnyvale-Saratoga Road/Fremont Avenue Safety Improvements.

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

- 1.F. RTC 12-290 Approval of Budget Modification No. 24 to Appropriate Transportation Impact Fee Funds for a City Participating Share in a Lawrence Expressway Grade Separation Study and to Authorize the City Manager to Execute Necessary Agreements

Staff Recommendation: Alternative 1: Approve Budget Modification No. 24 to appropriate \$125,000 of Transportation Impact Fee funds for a contribution to the Lawrence Expressway Grade Separations Study.

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

- 1.G. RTC 12-284 Approval of Budget Modification No. 25 to Shift Budgeted Funds for Computerized Transportation Model Update from FY 2015/16 to FY 2012/13

Staff Recommendation: Alternative 1: Approve Budget Modification No. 25 to move funds forward to FY 2012/13 for project 825530 Computerized Transportation Model Update.

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

- 1.H. RTC 12-288 Approve an Increase in the Construction Contingency for Morse Avenue Neighborhood Park Development – Remedial Soil Excavation

Staff Recommendation: Alternative 1: Approve an increase in the project contingency by \$300,000, from \$107,940 to \$407,940.

Staff Contact: Jennifer Ng, (408) 730-7430

Personnel

- 1.I. RTC 12-269 Approve an Amendment to the Schedule of Pay of the Salary Resolution: Pay Rate Adjustment for Pay Plan Category H (applies to Unclassified Recreation Classifications)

Staff Recommendation: Amend Section 2.500 (Pay Plan Category H) of the Schedule of Pay of the Salary Resolution to reflect the new pay rates, effective as soon as administratively possible after adoption of said amendment, and authorize the Community Services Division to implement the transition of unclassified temporary Recreation employees to the new pay structure.

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

Other

- 1.J. ORDINANCE Adopt Ordinance No. 2983-12 Amending Certain Sections of Title 19
2983-12 (Zoning) of the Sunnyvale Municipal Code Relating to Conversion of Mobile Home Parks to Other Uses

Staff Recommendation: Adopt an Ordinance No. 2983-12.

Staff Contact: Joan Borger, (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. RTC 12-280 Discussion and Possible Action on Request for Proposals for a License to Operate Public Swim Programs at Fremont High School Pool

Staff Recommendation: Alternative 1: Approve the Request for Proposals document and authorize staff to move forward on this project.

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

3. RTC 12-278 Discussion and Possible Actions Regarding: 2012-7531 – Classic Communities, Inc. / District Advisory Board Northern California Church of the Nazarene: Applications for a 2.3-acre project located at 636 West Fremont Avenue in the R-1 and R-2/PD Zoning Districts (APNs: 323-07-041 and 323-07-042):
- Introduce an ordinance to REZONE the site from a mix of R-1 (low density residential) and R-2/PD (low-medium density residential) zoning to a mix of R-0/PD (low density residential) and R-2/PD zoning;
 - MITIGATED NEGATIVE DECLARATION;
 - SPECIAL DEVELOPMENT PERMIT to allow the development of eighteen new single-family homes;
 - VESTING TENTATIVE MAP to allow subdivision of one lot into eighteen single-family lots and one common lot

Recommendation: Alternative 1: Adopt the Mitigated Negative Declaration; introduce an Ordinance to Rezone 636 West Fremont Avenue from a mix of R-1 and R-2/PD zoning to a mix of R-0/PD and R-2/PD zoning; and approve the Vesting Tentative Map and Special Development Permit with conditions.

Staff Contact: Mariya Hodge, (408) 730-7659

City Clerk reads the ordinance title.

4. RTC 12-279 Discussion and Possible Action Regarding Comprehensive School Traffic Study (Study Issue)

Recommendation: Staff and the Bicycle and Pedestrian Advisory Commission recommend Alternative No. 1: Accept the Comprehensive School Traffic Study and direct staff to implement the study results.

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

5. RTC 12-291 Discussion and Possible Action Regarding Downtown Parking and Maintenance Management Program (Study Issue)

Staff Recommendation: Alternatives 1 and 2:

1) Direct staff to return to Council with a new capital project for the FY 13/14 Recommended Budget to install pay for parking systems in the North and South Mathilda Overpass Lots;
2) Direct staff to return to add new proposed parking rates and fees for Council consideration in the FY 13/14 Recommended Fee Schedule.

Staff Contact: Jennifer Ng, (408) 730-7430

6. RTC 12-289 Discussion and Possible Action Regarding Naming of New Park at 545 Santa Real Avenue

Staff Recommendation: Staff makes no recommendation.

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

7. RTC 12-282 Discussion and Possible Action on Naming of Streets or Public Facilities after Fallen Officers

Staff Recommendation: Alternatives 1 and 2:

1) Direct staff to submit the names of Sunnyvale's five fallen public safety officers to

relevant agencies for review, in adherence with Sunnyvale's Street Naming System, add these names to the City's list of possible street names and request each developer with a new street(s) to consider naming it after a fallen officer; and

2) Direct staff to amend Council Policy 7.3.23, Naming/Renaming Parks & Recreation Facilities, to clarify that it applies to other public facilities and structures and to allow naming public facilities after fallen City employees; and amend Council Policy 7.3.20, Council Recognition of Individuals, Organizations and/or Events, to include a reference to Policy 7.3.23.

Staff Contact: Hanson Hom, (408) 730-7450

8. RTC 12-281 Introduce Ordinance to Amend Chapter 9.56 of the Sunnyvale Municipal Code (Solicitation)

Staff Recommendation: Alternative 1: Introduce an Ordinance to amend Chapter 9.56 of the Sunnyvale Municipal Code related to solicitation.

Staff Contact: Joan Borger, (408) 730-7464

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- City Manager

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Study Session Summary of November 20, 2012 – Discussion of Proposals for Retooling the Zoning Code
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission meeting of November 15, 2012
- Draft Minutes of the Parks and Recreation Commission meeting of November 14, 2012
- Draft Minutes of the Human and Human Services Commission meeting of November 14, 2012
- Draft Minutes of the Heritage Preservation Commission meeting of November 7, 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
Dec. 4, 2012	Council Meeting	7 p.m.	Council Chambers
Dec. 18, 2012	Council Meeting	7 p.m.	Council Chambers
Jan. 8, 2013	Council Meeting	7 p.m.	Council Chambers
Jan. 15, 2013	Council Meeting	7 p.m.	Council Chambers
Jan. 29, 2013	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

Dec. 3, 2012	Board of Library Trustees- <i>Canceled</i>		
Dec. 5, 2012	Heritage Preservation Commission	7 p.m.	West Conference Room
Dec. 10, 2012	Planning Commission Study Session	7 p.m.	West Conference Room
Dec. 10, 2012	Planning Commission Public Hearing	7 p.m.	West Conference Room
Dec. 12, 2012	Zoning Administrator	2 p.m.	West Conference Room
Dec. 12, 2012	Parks and Recreation Commission	7 p.m.	Community Center Conference Rm
Dec. 12, 2012	Housing and Human Services Commission- <i>Canceled</i>		
Dec. 17, 2012	Sustainability Commission	7 p.m.	West Conference Room
Dec. 19, 2012	Arts Commission	7 p.m.	Community Center Conference Rm
Dec. 20, 2012	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conference Room
Dec. 26, 2012	Housing and Human Services Commission- <i>Canceled</i>		
Jan 7, 2013	Board of Library Trustees	7 p.m.	Library Program Room
Jan 9, 2013	Parks and Recreation Commission	7 p.m.	Community Center Conference Rm
Jan. 16, 2013	Arts Commission	7 p.m.	Community Center Conference Rm
Feb 13, 2013	Parks and Recreation Commission	7 p.m.	Community Center Conference Rm
Feb 20, 2013	Arts Commission	7 p.m.	Community Center Conference Rm
March 13, 2013	Parks and Recreation Commission	7 p.m.	Community Center Conference Rm
March 20, 2013	Arts Commission	7 p.m.	Community Center Conference Rm

CHANNEL 15 – KSUN

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

December 4, 2012	City Council Meeting – Live	7 p.m.
December 5, 2012	City Council Meeting – Live	7 p.m.
December 9, 2012	City Council Meeting – Live	4 p.m.