

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, JUNE 11, 2013
COUNCIL CHAMBERS and WEST CONFERENCE ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

5:30 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. Board and Commission Interviews – Summer Recruitment
Staff Contact: Lisa Natusch, (408) 730-7595
4. Public Comment
5. Adjourn Special Meeting

6:15 P.M. SPECIAL COUNCIL MEETING (Closed Session)

City Council Closed Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Closed Session – *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.*
 - a. Closed Session - Pursuant to Government Code 54956.8: Conference with Real Property Negotiators
Property: Raynor Activity Center, 1500 Partridge Avenue, Sunnyvale
Agency negotiator: Gary Luebbers, City Manager; Kent Steffens, Director of Public Works
Negotiating parties: Fremont Union High School District, German International School of Silicon Valley, Los Altos School District, Morgan Autism Center, and Stratford School Incorporated
Under negotiation: Price and Terms of Payment
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

CLOSED SESSION REPORT FOR JUNE 11, 2013

Closed Session pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiators

PUBLIC ANNOUNCEMENTS

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 May 21, 2013
- 1.B. Approval of Special Council Meeting Minutes of May 23, 2013
- 1.C. Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.D. RTC 13-142 List of Claims and Bills Approved for Payment by the City Manager – List Nos. 660, 661, and 662

Staff Recommendation: Approve the lists of bills.

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

- 1.E. RTC 13-128 Approve Budget Modification No. 34 to Appropriate \$8,210 of Department of Homeland Security, State Homeland Security Grant Program Funds for Training

Staff Recommendation: Approve Budget Modification No. 34 to appropriate \$8,210 of Department of Homeland Security, State Homeland Security Grant Program Funds for Training to a new project, FFY 2011 SHSGP – Training.

Staff Contact: Ann Durkes, (408) 730-7355

- 1.F. RTC 13-134 Approve Budget Modification No. 43 to Appropriate \$4,455 of California Office of Traffic Safety Grant Funds from Santa Clara County Public Health Department for Bike Parties Safety/Enforcement

Staff Recommendation: Approve Budget Modification No. 43 to appropriate \$4,455 of California Office of Traffic Safety Grant Funds from Santa Clara County Public Health Department for Bike Parties Safety/Enforcement.

Staff Contact: Ann Durkes, (408) 730-7355

- 1.G. RTC 13-129 Approve Budget Modification No. 33 to Appropriate \$15,000 of Office of Traffic Safety Grant Funds for Sobriety Checkpoints

Staff Recommendation: Approve Budget Modification No. 33 appropriate Office of Traffic Safety Sobriety Checkpoint Grant funds in the amount of \$15,000 to a new project, 2012/2013 OTS Sobriety Checkpoints.

Staff Contact: Ann Durkes, (408) 730-7355

- 1.H. RTC 13-131 Appropriation of Utility Account Credit Balances to the Utility Bill Assistance Fund

Staff Recommendation: Authorize the City Manager to appropriate up to \$10,000 per year to the Utility Bill Assistance Fund to provide assistance to low income utility billing customers.

Staff Contact: Tim Kirby, (408) 730-2712

Contracts

- 1.I. RTC 13-138 Award of Contract for Design of the Orchard Gardens Park Expansion (F13-44)

Staff Recommendation: Award a contract, in substantially the same format as the draft attached to the report and in the amount of \$156,960 to Harris Design for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and approve a 10% design contingency in the amount of \$15,696.

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

Other Items

- 1.J. RTC 13-135 Adopt the Resolution Calling a General Municipal Election for November 5, 2013 for the Election of Councilmembers for Seat Numbers 1, 2 and 3; Requesting Consolidation with Other Legislative Districts within the County and Requesting County Services

Staff Recommendation: Adopt the Resolution Calling a General Municipal Election for November 5, 2013 for the Election of Councilmembers for Seat Numbers 1, 2 and 3; Requesting Consolidation with Other Legislative Districts within the County and Requesting County Services.

Staff Contact: Lisa Natusch, (408) 730-7595

- 1.K. RTC 13-136 Approval of the Renewed Agreement on the Roles and Responsibilities Between the NOVA Workforce Board and the Sunnyvale City Council Serving as the Chief Local Elected Official

Staff Recommendation: Approve the renewed Agreement on the Roles and Responsibilities Between the NOVA Workforce Board and the Sunnyvale City Council that extends the period of agreement until June 30, 2018.

Staff Contact: Kris Stadelman, (408) 730- 7233

- 1.L. RTC 13-137 Approval of NOVA Five-Year Local Strategic Workforce Plan

Staff Recommendation: Approve the NOVA Five-Year Local Strategic Workforce Plan.
Staff Contact: Kris Stadelman, (408) 730- 7233

- 1.M. Ordinance 2999-13 Adopt Ordinance 2999-13 Making Findings and Amending Chapter 3.60 (Downtown Sunnyvale Business Improvement District) of Title 3 (Revenue and Finance) of the Sunnyvale Municipal Code to Expand Boundaries and Add Businesses to Zone C

Staff Recommendation: Adopt Ordinance No. 2999-13.
Staff Contact: Joan Borger, (408) 730-7460

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. Discussion and Possible Action Regarding Amended Cupertino Middle School Open Space Plan
Staff Contact: Robert Walker, (408) 730-7458

3. RTC 13-133 Board and Commission Appointments

Staff Recommendation: Staff makes no recommendation.
Staff Contact: Lisa Natusch, (408) 730-7595

4. RTC 13-141 Annual Public Hearing on FY 2013/14 Budget and Resource Allocation Plan and Establishment of Appropriations Limit

Staff Recommendation: Hold a Public Hearing to meet the legal requirements of the City Charter, the California Constitution, and the California Government Code. Provide direction to staff on any issue requiring further review prior to the adoption of the FY 2013/14 Budget on June 25, 2013.
Staff Contact: Drew Corbett, (408) 730-7603

5. RTC 13-140 Public Hearing – Annual Review of Fees and Charges for FY 2013/2014

Staff Recommendation: Hold a Public Hearing to meet the requirements of the City Charter and the California Government Code. Provide direction to staff on any fee requiring further review prior to the budget adoption on June 25, 2013.
Staff Contact: Drew Corbett, (408) 730-7603

6. RTC 13-132 Discussion and Possible Action on Proposed FY 2013/14 Rates for Water, Wastewater, and Solid Waste Utilities for Services Provided to Customers Within and Outside City Boundaries

Staff Recommendation: Adopt the resolution increasing water rates by 5%, wastewater rates by 6.5%, and solid waste rates by 4% for FY 2013/14.

Staff Contact: Tim Kirby, (408) 730-2712

7. RTC 13-139 Discussion and Possible Action to Address Golf and Tennis Operations Fund Deficits in Fiscal Year 2012/2013 and Approval of Budget Modification No. 42

Staff Recommendation: Alternative 1: Approve Budget Modification No. 42 in the amount of \$300,000 to cover projected deficits in the Golf and Tennis Operations Fund.

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

8. RTC 13-130 Adoption of a Resolution Calling a Special Election for November 5, 2013, to be Consolidated with the General Municipal Election for the Purpose of Submitting to the Voters a Measure to Amend the City Charter to Change General Municipal Elections from Odd-Numbered Years to Even-Numbered Years

Staff Recommendation: Staff makes no recommendation

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

9. RTC 13-143 Discussion and Possible Action to Adopt a Resolution Calling a General Election for November 5, 2013, for the Purpose of Submitting to the Voters a Measure to Increase the Transient Occupancy Tax Rate from 9.5% to 10.5, to be Consolidated with the General Municipal Election

Staff Recommendation: Alternative 1: Adopt a Resolution calling for a General Election to be held on November 5, 2013, of a ballot measure to propose to the voters a 1% increase to the Transient Occupancy Tax effective January 1, 2014.

Staff Contact: Brice McQueen, (408) 730-7284

10. Discussion and Possible Action on Consideration of a Ballot Measure to Raise the Minimum Wage in the City of Sunnyvale

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 Arts Commission Meeting of May 15, 2013
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of May 16, 2013

ADJOURNMENT

Notice to the Public:

The agenda reports to council (RTC's) may be viewed on the City's Web site 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 35.106 ADA Title II).

Planning a presentation for a City Council meeting?

To assist you in utilizing the technology available in the Council Chambers, the publication "*How to Make Your Council Chamber Presentation More Effective*" may be helpful. The document is available on the City 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.

Upcoming Meetings

Visit CouncilMeetings.inSunnyvale.com for upcoming Council meeting information.

Visit BoardsandCommissions.inSunnyvale.com for upcoming board and commission meeting information.

For a complete schedule of KSUN-15 Council meeting broadcasts, visit KSUN.insunnyvale.com.