

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, JULY 9, 2013
COUNCIL CHAMBERS
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 David Whittum from:

Wemyss House, Room 110, Rudkin Way, University of the Pacific, Stockton, CA 95211

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 Council Chambers (Open to the Public)
2. Roll Call
3. Discussion of Draft Environmental Impact Report on Proposed Apple Campus 2 Project
Location: Council Chambers
Staff Contact: Andrew Miner, (408) 730-7707
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

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 June 25, 2013
- 1.B. Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.C. RTC 13-161 List of Claims and Bills Approved for Payment by the City Manager – List No. 665

Staff Recommendation: Approve the lists of bills.

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

Contracts

- 1.D. RTC 13-163 Award of Contract for One Regenerative Air Street Sweeper (F13-58)

Staff Recommendation: Award a contract in the amount of \$205,224, in substantially the same form as the draft purchase order attached to the report, to Municipal Maintenance Equipment, Inc. for one regenerative air street sweeper.

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

- 1.E. RTC 13-164 Award of Contracts for Asphaltic Materials for Pavement Operations

Staff Recommendation: Award a one-year contract for asphaltic materials, in substantially the same form as the Draft Blanket Purchase Order attached to the report and in an amount not-to-exceed \$500,000 to Graniterock Company; Award a one-year contract for asphaltic materials, in substantially the same form as the Draft Blanket Purchase Order attached to the report and in an amount not-to-exceed \$115,000 to Granite Construction Company; and award a one-year contract for asphaltic materials, in substantially the same form as the Draft Blanket Purchase Order attached to the report and in an amount not-to-exceed \$115,000 to Reed & Graham.

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

Other Items

- 1.F. RTC 13-162 Amend Council Policy 7.3.21 Recognition of Elected and Appointed Officials and Visiting Dignitaries to Reflect Restrictions Set by the Political Reform Act

Staff Recommendation: Approve the Proposed Changes to Council Policy 7.3.21 Recognition of Elected and Appointed Officials and Visiting Dignitaries.

Staff Contact: Yvette Blackford, (408) 730-7475

- 1.G. ORDINANCE NO. 3000-13 Adopt Ordinance 3000-13 Amending Section 19.42.010 (Operation of Home Occupations) of Title 19 (Zoning); Repealing Chapter 19.44 (Signs); and Adding Chapter 19.44 (Sign Code) of Title 19 (Zoning) of the Sunnyvale Municipal Code

Staff Recommendation: Adopt Ordinance 3000-13.

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 13-144 Discussion and Possible Action Regarding Naming of New City-owned Park at 545 Santa Real Avenue

Staff Recommendation: Staff makes no recommendation.

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

3. RTC 13-167 2013-7313 Discussion and Possible Action on Appeals of a Decision of the Planning Commission for Related applications by Prometheus Real Estate Group (Applicant/Owner); 457-475 E. Evelyn Avenue in DSP-23 (Downtown Specific Plan – Block 23) Zoning District (APNs: 209-04-053 & 054)
- Special Development Permit to allow the development of 117 apartments;
 - Vesting Tentative Parcel Map for the merger of two lots.

Staff Recommendation: Grant the appeal and modifying the decision of the Planning Commission by adopting the Mitigated Negative Declaration; and approving the Special Development Permit and Vesting Tentative Map with a condition of approval to relocate the entry driveway.

Staff Contact: Ryan Kuchenig, (408) 730-7431

4. RTC 13-166 Discussion and Possible Action to Adopt a Resolution to Approve the Annual Engineer's Report and to Levy Annual Assessment for The Downtown Parking Maintenance District Assessment for Fiscal Year 2013-2014

Staff Recommendation: Alternative 1: Adopt the resolution to approve the annual Engineer's Report for FY 2013/14 and to direct the Assessment Engineer to forward the assessment to the County of Santa Clara for inclusion on the property tax rolls.

Staff Contact: Patricia Lord, (408) 730-2713

5. RTC 13-165 Discussion and Possible Action to Create a Ballot Measure Regarding Personnel Board Eligibility Requirements for the November 5, 2013 General Election

Staff Recommendation: Staff makes no recommendation.

Staff Contact: Robert Walker, (408) 730-7458

6. Discussion and Possible Action on Recommendations from the Community Event Grant Distribution Subcommittee

Contact: Councilmember Tara Martin-Milius, (408) 730-7473

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 June 25, 2013 - Presentation on City-Owned Property Inventory
- Special Council Meeting Summary of June 29, 2013 - Building Collaboration and Improving Communications
- Draft Minutes of the Parks and Recreation Commission Special Meeting of June 12, 2013
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of June 20, 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.