

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, AUGUST 27, 2013
WEST CONFERENCE ROOM and COUNCIL CHAMBERS
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

5:45 P.M. SPECIAL COUNCIL MEETING (Study Session)

City Council Study Session

1. Call to Order in the West Conference Room
2. Roll Call
3. Board and Commission Interviews
Staff Contact: Lisa Natusch, (408) 730-7595
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

CLOSED SESSION REPORTS FOR AUGUST 20, 2013

*Closed Session pursuant to Government Code Section 54957 – Public Employment: City Manager
Closed Session pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator*

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 August 13, 2013
- 1.B. Approval of Council Meeting Minutes of August 20, 2013
- 1.C. Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.D. RTC 13-205 List of Claims and Bills Approved for Payment by the City Manager – List Nos. 672 & 673

Staff Recommendation: Approve the list of bills.

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

- 1.E. RTC 13-195 Approve Budget Modification No. 6 to Appropriate \$1,400 of Department of Homeland Security, State Homeland Security Grant Program Funds for Training

Staff Recommendation: Approve Budget Modification No. 6 to appropriate \$1,400 of Department of Homeland Security, State Homeland Security Grant Program Funds for Training to a new project, FFY 2011 SHSGP – Training, CESA Conference.

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

- 1.F. RTC 13-203 Approve Budget Modification No. 10 to Appropriate \$2,098 of Department of Homeland Security, State Homeland Security Grant Program Funds for Training

Staff Recommendation: Approve Budget Modification No. 10 to appropriate \$2,098 of Department of Homeland Security, State Homeland Security Grant Program Funds for Training to a new project, FFY 2011 SHSGP – Training, IACA Conference.

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

- 1.G. RTC 13-200 Approval of Budget Modification No. 9 to Appropriate \$39,692 of Santa Clara County EMS Enhancement Projects Funds for the Santa Clara County Comprehensive EMS Patient Care Data System

Staff Recommendation: Approve Budget Modification No. 9 to appropriate \$39,692 of Santa Clara County EMS Enhancement Projects Funds to a new project, FY 2013/14 Comprehensive EMS Patient Care Data System.

Staff Contact: James Bouziane, (408) 730-7158

- 1.H. RTC 13-210 Approve Budget Modification No. 7 to Appropriate \$27,000 of Transportation Development Act Grant Funds for Pedestrian Facility Improvements at the Intersection of Remington and Manet Drives

Staff Recommendation: Approve Budget Modification No. 7 to appropriate Transportation Development Act funds in the amount of \$ 27,000 to a new project, Remington Drive/Manet Drive Pedestrian Improvements.

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

Contracts

- 1.I. RTC 13-199 Award of Contract for Adult and Juvenile Audiovisual Materials (F14-07)

Staff Recommendation: Award a contract in an amount not to exceed \$147,000 to Midwest Tape for adult and juvenile audiovisual materials; and delegate authority to the City Manager to renew the contract for two additional one-year periods, providing pricing and service remain acceptable to the City.

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

- 1.J. RTC 13-208 Award of Bid No. PW13-22 for Rehabilitation of Anaerobic Digesters No. 1 and No. 2 and Improvements to No. 3

Staff Recommendation: Award a contract in the amount of \$5,262,700 to Aztec Consultants 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% construction contingency in the amount of \$526,270.

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

Other

- 1.K. ORDINANCE NO. 3001-13 Adopt Ordinance 3001-13 Amending Chapter 5.38 (Plastic Carryout Bags) of Title 5 (Business Licenses And Regulations) of the Sunnyvale Municipal Code Related to Single-Use Carryout Bags

Staff Recommendation: Adopt Ordinance 3001-13.

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 13-212 Discussion and Possible Action to Modify the Compensation Plan for the City Manager
3. RTC 13-209 Board and Commission Appointments

Staff Recommendation: Staff makes no recommendation.

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

4. RTC 13-211 2012-7986 - Discussion and Possible Action on an Appeal by the Applicant of a Decision of the Planning Commission Denying a Design Review Permit for a New Two-Story Single-Family Home Resulting in 2,804 Square Feet and 53.5% Floor Area Ratio (FAR) Located at 726 San Miguel Avenue in an R-0 Zoning District (APN: 205-14-030) (Continued from August 13, 2013)

Staff Recommendation: Alternative 1: Deny the Appeal and Uphold the Decision of the Planning Commission to Deny the Design Review.

Staff Contact: Shaunn Mendrin, (408) 730-7429

5. RTC 13-192 2013-7319 - Discussion and Possible Action on an Appeal by the Adjacent Neighbor of a Decision of the Planning Commission Approving a Design Review Application for an Addition to the First Story and a New Second Story on a Single-Family Home Resulting in 2,768 square feet and 49.7% Floor Area Ratio (FAR) located at 663 Toyon Avenue in an R-0 Zoning District (APN: 213-10-031)

Staff Recommendation: Alternative 1: Deny the appeal and uphold the decision of the Planning Commission to approve the Design Review with the conditions in Attachment B to the report.

Staff Contact: Elise Lieberman, (408) 730-7443

6. RTC 13-206 Discussion and Possible Action Regarding Request from Sunnyvale Community Services for Forgiveness of Approximately \$525,000 in Outstanding Community Development Block Grant (CDBG) Loan Debt

Staff Recommendation: Staff makes no recommendation.

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

7. RTC 13-201 Discussion and Possible Action to Adopt Resolutions to Initiate the Annexation Process for Two Island Areas Located within the City of Sunnyvale Urban Service Area but Currently under the County of Santa Clara's Jurisdiction (Central Expressway and Butcher's Corner)

Staff Recommendation: Alternative 1: Adopt resolutions to set the next public hearing date and initiate the annexation process for two island areas located within the City of Sunnyvale Urban Service Area but currently under the County of Santa Clara's jurisdiction (Central Expressway and Butcher's Corner).

Staff Contact: Amber El-Hajj, (408) 730-2723

8. RTC 13-198 Discussion and Possible Action to Approve the City's Response to the 2012-2013 Santa Clara Civil Grand Jury Final Report, "Law Enforcement Public Complaint Procedures"

Staff Recommendation: Approve the City's response to the Santa Clara County Civil Grand Jury report as presented in Attachment A to the report.

Staff Contact: Staff Contact: Lt. David Chong, (408) 730-7156

9. RTC 13-202 Discussion and Possible Action to Vote for League of California Cities Peninsula Division Election of Officers

Staff Recommendation: Alternative 1: Take action to vote for one candidate in each position.

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

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- City Manager

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- RTC 13-204 Location Change for Seven Seas Park Public Art "Under the Umbrella" (Information Only)
- RTC 13-207 Memo: Councilmember Meyering's Question Regarding LinkedIn (Information Only)
- Joint Study Session Summary of July 23, 2013 - Discussion of Possible Amendment to Downtown Specific Plan Relating to Street Design for Mathilda Avenue between El Camino Real and Evelyn Avenue
- Study Session Summary of August 13, 2013 - Discussion of Nexus Study for Possible Affordable Housing Fee for Construction of New Rental Housing
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of August 15, 2013
- Draft Minutes of the Housing and Human Services Commission meeting of July 24, 2013
- Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of July 18, 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.