

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, OCTOBER 8, 2013
WEST CONFERENCE ROOM and COUNCIL CHAMBERS
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

5:30 P.M. SPECIAL COUNCIL MEETING (Board and Commission Interview)

City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Board and Commission Interview
Staff Contact: Lisa Natusch, (408) 730-7595
4. Public Comment
5. Adjourn Special Meeting

6 P.M. SPECIAL COUNCIL MEETING (Closed Sessions)

City Council Closed Sessions

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 Section 54957.6: Conference with Labor Negotiators
Agency Designated Representatives: Art Hartinger, Meyers Nave; Teri Silva, Director of Human Resources; Gary Luebbers, City Manager
Employee Organization: Sunnyvale Employees Association
 - b. Closed Session pursuant to Government Code Section 54956.9(a): Conference with Legal Counsel - Existing Litigation
Name of case: San Francisco Baykeeper v. City of Sunnyvale et. al., U.S. District Court
Case No. 5:13-CV-02425-HRL
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

SPECIAL ORDER OF THE DAY – October is National Arts and Humanities Month

SPECIAL ORDER OF THE DAY – Fire Safety Posters (20 minutes)

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 September 24, 2013
- 1.B. Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.C. RTC 13-234 Lists of Claims and Bills Approved for Payment by the City Manager – List Nos. 678 and 679

Staff Recommendation: Approve the lists of bills.

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

- 1.D. RTC 13-237 Approve Budget Modification No. 15 to Appropriate \$20,000 of California Juvenile Justice Crime Prevention Act Grant Funds from Santa Clara County Probation Office for Safe Summer Activities

Staff Recommendation: Approve Budget Modification No. 15 to Appropriate \$20,000 of California Juvenile Justice Crime Prevention Act Grant Funds to a new project, FY 2013/2014 Safe Summer Activities Grant.

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

- 1.E. RTC 13-235 Approve Budget Modification No. 14 to Appropriate \$21,126 of Department of Homeland Security, State Homeland Security Grant Program Funds for 2013 Urban Shield

Staff Recommendation: Approve Budget Modification No. 14 to Appropriate \$21,126 of Department of Homeland Security, State Homeland Security Grant Program Funds to a New Project, 2013 Urban Shield.

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

Contracts

- 1.F. RTC 13-231 Reject Bid for Electric Golf Cart Rentals for the Sunnyvale Golf Course and Amend/Extend Current Contract (F14-06)

Staff Recommendation: Reject the one bid received in response to Invitation for Bids F14-06 for electric golf cart rentals; and approve an amendment to the current contract with Yamaha Golf-Car Company by increasing the total not-to-exceed value from \$193,822 to \$206,056 and by extending the expiration date to January 31, 2014.

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

- 1.G. RTC 13-233 Award of Contract for Design and Construction Support Services for Pavement Rehabilitation 2014 (F14-01)

Staff Recommendation: Award a contract in an amount of \$331,540, to CSG Consultants, Inc., 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 \$33,154.

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

Other

- 1.H. Ordinance No. 3002-13 Adopt Ordinance No. 3002-13 to Amend Certain Sections of Title 19 (Zoning) of the Sunnyvale Municipal Code Relating to Payday Lending Establishments

Staff Recommendation: Adopt Ordinance No. 3002-13.

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 13-236 Request for Continuation of Discussion and Possible Action on a Specific Plan Amendment to Consider Elimination of the Required Residential Frontage Road along the West Side of S. Mathilda Avenue for Blocks 14, 15 and 16 of the Downtown Specific Plan (between Washington Avenue and Olive Avenue)

Staff Recommendation: Continue the item to October 22, 2013 to allow time for the Bicycle and Pedestrian Advisory Commission to consider this item at their meeting on October 17, 2013.

Staff Contact: Gerri Caruso, (408) 730-7591

3. City Manager Recruitment Update by Avery and Associates

Staff Recommendation: Staff makes no recommendation.

Staff Contact: Teri Silva , (408) 730-7495

4. RTC 13-240 Discussion and Possible Action on Adoption of Resolutions to Approve the Annexation of 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), and a Finding of Categorical Exemption Under the California Environmental Quality Act

Staff Recommendation: Alternatives 1, 2 and 4: 1) Find that the project is categorically exempt from CEQA pursuant to guideline 15319(a); 2) Adopt the resolution to approve the annexation of the Central Expressway Island Area (SV01); and 4) Postpone the annexation of the Butcher's Corner Island Area.

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

5. RTC 13-238 Discussion and Possible Action to Find an Exemption under the California Environmental Quality Act and Introduce an Ordinance Addressing Development Review Procedures for Projects within the Peery Park District during Preparation of the Peery Park Specific Plan

Staff Recommendation: Alternatives 1, 2 and 3: 1) Make a finding that the project is exempt from CEQA; 2) Introduce the ordinance to require Planning Commission recommendation and City Council action on Use Permits, Special Development Permits and specified Design Review applications in the Peery Park District; and 3) Direct staff to increase the mailing notification for projects located within the Peery Park District that require a public hearing and specify a minimum distance.

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

6. RTC 13-239 Discussion and Possible Action Regarding Mary Avenue Street Space Allocation Study and Budget Modification No. 8 to Adopt a Mitigated Negative Declaration and Appropriate \$ 346,790 in Transportation Development Act Grant Funds and \$ 425,360 in Traffic Impact Fee Funds to Construct Bike Lanes on Mary Avenue between Fremont Avenue and Maude Avenue

Staff Recommendation: Alternatives 1, 2 and 3: 1) Select from the concepts detailed in the report a street allocation concept for one or more specific roadway segments on Mary Avenue between Fremont Avenue and Maude Avenue; 2) Pursue a roadway design that provides continuous bike lanes on Mary Avenue between Fremont Avenue and Maude Avenue; and 3. Adopt the Mitigated Negative Declaration for construction of bicycle facilities on Mary Avenue between Fremont Avenue and Maude Avenue.

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
- Joint Study Session Summary of September 10, 2013 - Discuss General Plan and Zoning of the "Butcher" Property at El Camino Real / Wolfe Road /Fremont Avenue (Revised)
- Draft Minutes of the Sustainability Commission Meeting of September 16, 2013
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of September 19, 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.