

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, OCTOBER 22, 2013
COUNCIL CHAMBERS
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

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 – Breast Cancer Awareness Month

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 October 8, 2013
- 1.B. Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.C. RTC 13-255 Lists of Claims and Bills Approved for Payment by the City Manager – List Nos. 680 and 681

Staff Recommendation: Approve the lists of bills.
Staff Contact: Pete Gonda, (408) 730-7418

- 1.D. RTC 13-241 City of Sunnyvale Investment Report – 3rd Quarter 2013

Staff Recommendation: Receive and file the investment report.
Staff Contact: Therese Balbo, (408) 730-7604

- 1.E. RTC 13-252 Adopt the City's Investment Policy for Fiscal Year 2013/14

Staff Recommendation: Adopt the Investment Policy for FY 2013/14 as presented.
Staff Contact: Therese Balbo, (408) 730-7604

- 1.F. RTC 13-247 Approve Budget Modification No. 16 to Appropriate \$12,383 of Justice Assistance Grant Funding for Equipment

Staff Recommendation: Approve Budget Modification No. 16 to appropriate \$12,383 of Justice Assistance Grant Program Funds to a new project, FFY 2013 Justice Assistance Grant.
Staff Contact: Ann Durkes, (408) 730-7355

- 1.G. RTC 13-257 Appropriation of \$11,510 of Covered California Grant Funds Through the California School Health Centers Association and Approval of Budget Modification No. 18

Staff Recommendation: Approve Budget Modification No. 18 to appropriate Covered California Grant Funds from California School Health Centers Association in the amount of \$11,510.
Staff Contact: Lisa G. Rosenblum, (408) 730-7315

Contracts

- 1.H. RTC 13-248 Award of Contract for the Purchase of SCBA Air Masks and Lapel Microphones (F14-30)

Staff Recommendation: Award a contract to Bauer Compressors, Inc. in the amount of \$114,177 and in substantially the same form as draft purchase order attached to the report, for MSA SCBA air masks and lapel microphones.
Staff Contact: Pete Gonda, (408) 730-7418

- 1.I. RTC 13-245 Award of Contract for the Purchase of Fire Protective Clothing, Equipment and Fire Safety Supplies (F14-28)

Staff Recommendation: Award a one-year contract to L.N. Curtis & Sons not-to-exceed budgeted amounts, for fire protective clothing, equipment and fire safety supplies, and authorize the City Manager to renew the contract for two additional one-year periods, provided that pricing and service remain acceptable to the City.
Staff Contact: Pete Gonda, (408) 730-7418

- 1.J. RTC 13-254 Authorization to Modify an Existing Contract for Library Printed Materials (F14-29)

Staff Recommendation: Approve modification of the existing Blanket Purchase Order with Ingram Library Services, Inc., in substantially the same form as the draft Change Order attached to the report, by increasing the not-to-exceed value from \$80,000 to \$120,000 and extending the end date to November 30, 2013.
Staff Contact: Pete Gonda, (408) 730-7418

- 1.K. RTC 13-246 Reject Proposals for Professional Services for Conceptual Design Study for the Improvement of Intersections (F13-65)

Staff Recommendation: Reject the two proposals received in response to Request for Proposals F13-65.

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

- 1.L. RTC 13-250 Award of Contract for the Purchase of Water Meters (F14-19)

Staff Recommendation: Award a one-year contract to Badger Meter, Inc. in substantially the same form as the draft blanket purchase order attached to the report, not-to-exceed budgeted amounts, for water meters and end points; and delegate authority to the City Manager to extend the contract by a period of up to one year to allow sufficient time to evaluate results of the pilot program, if pricing and service remain acceptable to the City.

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

Other

- 1.M. RTC 13-251 Adoption of a Resolution Establishing Financial Assurance for Postclosure Maintenance and Corrective Action Costs for the Sunnyvale Landfill and Approval of the Related Pledge of Revenue Agreement

Staff Recommendation: Adopt the resolution and authorize the City Manager to execute the Pledge of Revenue Agreement.

Staff Contact: Mark Bowers, (408) 730-7421

- 1.N. Ordinance No. 3003-13 Adopt Ordinance 3003-13 to Amending the Precise Zoning Plan and Zoning Districts Map to Create the Peery Park District

Staff Recommendation: Adopt Ordinance 3003-13.

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

- 1.O. RTC 13-258 Award of a Contract for Analytical, Design and Support Services for Emergency Flow Management Improvements at the Water Pollution Control Plant (F13-62)

Staff Recommendation: Award a design contract, in substantially the same format as the draft attached to the report, and an amount not-to-exceed \$619,559; to CDM Smith for the subject project, and authorize the City Manager to execute the contract when all necessary conditions have been met; and approve a 15% contract contingency in the amount of \$69,951.

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

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 13-243 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) and Approval of EIR Addendum - *Continued from October 8, 2013*

Staff Recommendation: Alternative 1: Adopt the Downtown Specific Plan EIR addendum and Resolution amending the Downtown Specific Plan to eliminate the requirement for a frontage road and adding a revised Mathilda Avenue cross section. Update related sections of the DSP to reflect the new plan.

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

3. RTC 13-244 Discussion and Possible Action to Appoint a Member to the Planning Commission

Staff Recommendation: Staff makes no recommendation.

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

4. RTC 13-242 2013-7140 Discussion and Possible Action to Introduce an Ordinance to Amend Chapter 19.58 of Title 19 of the Sunnyvale Municipal Code to Modify the Regulations and Procedural Requirements Regarding Large Family Child Care Homes (Study Issue) and to Find that the Project is Exempt from the California Environmental Quality Act

Staff Recommendation: Alternatives 1 and 2: 1) Find that the project is exempt from CEQA pursuant to guideline 15061(b)(3), and 2) Introduce an ordinance for large family child care homes to establish a consistent application process that includes distance requirements and operational standards for new large family child care homes.

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

5. RTC 13-256 Discussion and Possible Action to Introduce an Ordinance Banning the Use and Sale of Expanded Polystyrene Food Containers and to Adopt a Negative Declaration of Environmental Impact

Staff Recommendation: Alternative 1: Adopt the Negative Declaration and introduce the ordinance.

Staff Contact: Mark Bowers, (408) 730-7421

6. RTC 13-249 2013-7468 - Discussion and Possible Action on the Appeal by a Councilmember of a Decision of the Planning Commission Approving Related Applications by Classic Communities (Applicant/Owner) for a Special Development Permit, Vesting Tentative Map and Mitigated Negative Declaration; 822-830 East Evelyn Avenue in the M3/ITR/R-3/PD Zoning District (APN: 209-14-007 & 209-14-011)

Staff Recommendation: Alternative 1: Deny the Appeal and uphold the decision of the Planning Commission to Adopt the Mitigated Negative Declaration, and Approve Special Development Permit and Vesting Tentative Map with the attached conditions of approval.
Staff Contact: Gerri Caruso, (408) 730-7591

7. RTC 13-253 Discussion and Possible Action to Appoint a Councilmember to the Expressway Plan 2040 Policy Advisory Board

Staff Recommendation: Alternative 1: Appoint a Councilmember to the Expressway Plan 2040 Policy Advisory Board.
Staff Contact: Jack Witthaus, (408) 730-7441

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 September 24, 2013 - Overview of Proposed Amendments to Moffett Park Specific Plan and Development Agreement for the Proposed Moffett Place Office Campus (1.8 million square feet) Located between Mathilda Avenue and Borregas Avenue North of Moffett Park Drive
- Joint Study Session Summary of October 1, 2013 - Dog Park at Las Palmas Park
- Draft Minutes of the Parks and Recreation Commission Meeting of September 11, 2013
- Draft Minutes of the Arts Commission Meeting of September 18, 2013
- Draft Minutes of the Board of Library Trustees Meeting of October 7, 2013
- Draft Minutes of the Housing and Human Services Commission Meeting of September 25, 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.