NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL
TUESDAY, NOVEMBER 19, 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

CLOSED SESSION REPORT FOR OCTOBER 25, 2013
Closed Session pursuant to Government Code Section 54956.9 – Conference with Legal Counsel – Existing Litigation

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 22, 2013
1.B. Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

1.C. RTC 13-271 Lists of Claims and Bills Approved for Payment by the City Manager - Nos. 682, 683, 684 and 685

Staff Recommendation: Approve the lists of bills.
Staff Contact: Pete Gonda, (408) 730-7418
1.D. RTC 13-264  
Approve Budget Modification No. 17 to Appropriate $19,875 of Kaiser Permanente South Bay Community Benefit Program Grant Funds for Development of the Columbia Neighborhood Center Fitness Room

Staff Recommendation: Approve Budget Modification No. 17 to appropriate Kaiser Permanente South Bay Community Benefit Program grant funds in the amount of $19,875 to a new project, Enhanced Fitness Programs.
Staff Contact: Lisa G. Rosenblum, (408) 730-7315

1.E. RTC 13-263  
Approve Budget Modification No. 19 to Appropriate $18,000 of Council on Aging Silicon Valley Grant Funds for Care Management Services

Staff Recommendation: Approve Budget Modification No. 19 to Appropriate Council on Aging Silicon Valley grant funds in the amount of $18,000 to Project 829640 Care Management Enhancement.
Staff Contact: Lisa G. Rosenblum, (408) 730-7315

Contracts

1.F. RTC 13-272  
Award of Bid No. PW14-02 for ADA Curb Ramps Installation 2013-14 and Finding of CEQA Categorical Exemption

Staff Recommendation: Award a contract in the amount of $378,300 to Spencon Construction Inc., for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; approve an 18.5% construction contingency in the amount of $69,986; and make a finding that the project is categorically exempt from CEQA pursuant to Class 1, Section 15301(c) and (d).
Staff Contact: Pete Gonda, (408) 730-7418

1.G. RTC 13-265  
Award of Contract for an Aerial Chipper Truck (F14-27)

Staff Recommendation: Award a contract in the amount of $177,323, in substantially the same form as the draft purchase order attached to the report, to Altec Industries, Inc. for one aerial chipper truck.
Staff Contact: Pete Gonda, (408) 730-7418

1.H. RTC 13-269  
Award of Contract for Four Dump Trucks (F14-24)

Staff Recommendation: Award a contract in the amount of $289,501, in substantially the same form as the draft purchase order attached to the report, to Big Valley Ford for four dump trucks.
Staff Contact: Pete Gonda, (408) 730-7418

1.I. RTC 13-273  
Award of Contracts for Library Printed Materials (F14-11)

Staff Recommendation: Award a three-year contract to Ingram Library Services, Inc. in substantially the same form as the draft blanket purchase order attached to the report, not-to-exceed budgeted amounts, for adult and juvenile printed materials; and delegate authority to the City Manager to extend the contract for two additional one-year periods, not-to-exceed annual budgeted amounts, if pricing and service remain acceptable to the City.
Staff Contact: Pete Gonda, (408) 730-7418
Personnel

1.J. RTC 13-270  Adoption of the Interim Findings and Recommendations between the City of Sunnyvale and Sunnyvale Employees Association (SEA) and Approval of Budget Modification No. 20

   Staff Recommendation: Approve the interim findings and recommendations dated October 8, 2013 and approve Budget Modification No. 20.
   Staff Contact: Allison Suggs, (408) 730-7534

Other

1.K. ORDINANCE NO. 3004-13  Adopt Ordinance No. 3004-13 Amending Chapter 19.58 Concerning Large Family Child Care Homes of Title 19 (Zoning Code) of the Sunnyvale Municipal Code

   Staff Recommendation: Adopt Ordinance 3004-13.
   Staff Contact: Joan Borger, (408) 730-7460

1.L. ORDINANCE NO. 3005-13  Adopt Ordinance No. 3005-13 Adding Chapter 5.39 (Environmentally Acceptable Food Containers and Service Ware) of Title 5 (Business Licenses and Regulations) of the Sunnyvale Municipal Code Related to Polystyrene Food Containers and Service Ware

   Staff Recommendation: Adopt Ordinance 3005-13.
   Staff Contact: Joan Borger, (408) 730-7460

1.M. RTC 13-279  Approval of a Resolution Supporting the City’s Application for a Safe, Clean Water Grant from the Santa Clara Valley Water District in the amount of $37,500

   Staff Recommendation: Approve the Resolution and authorize staff to apply for a Safe, Clean Water Grant for $37,500.
   Staff Contact: Melody Tovar, (408) 730-7808

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 13-275 Discussion and Possible Action Regarding Approval of the Purchase and Sales Agreement for Raynor Activity Center Located at 1500 Partridge Avenue and a Joint Use Agreement for the Raynor Park Open Space Area and Adoption of a Finding that the Purchase and Sales Agreement Does not Constitute a Project Under the California Environmental Quality Act

Staff Recommendation: Alternatives 1, 2, 3, and 4: 1) Find that approval of the Purchase and Sales Agreement for the Raynor Activity Center is not a project under CEQA and direct staff to conduct further environmental analysis as part of the use permit process; 2) Authorize the City Manager to execute the Purchase and Sales Agreement between the City of Sunnyvale and Stratford School, Inc. for the sale of the Raynor Activity Center located at 1500 Partridge Avenue; 3) Authorize the City Manager to execute the Joint Use Agreement between the City of Sunnyvale and Stratford School, Inc. for the use of Raynor Park; 4) Direct that upon close of escrow for the Raynor property that proceeds from the sale be used as follows: a.) Provide $11.5 million in funding for the current capital project for design, construction, and startup costs of a new branch library located at Lakewood Park; and b.) Use proceeds of $135,000 to reimburse the General Fund for commercial real estate consulting services with expertise in negotiated sales of public facilities; and c.) Use a portion of the proceeds in the amount of $50,000 for closing costs related to the sale of the Raynor Activity Center; and d.) Use remaining proceeds of approximately $2.37 million for design and construction of the Washington Pool Expansion Project advancing its schedule by two years to start design in Fiscal Year 2014/15; and e.) Upon recordation of the Raynor Park Parcel Map, direct staff to transfer $130,000 from the Water Utility Fund to the General Fund Reserve for Capital Improvement Projects.

Staff Contact: Kent Steffens, (408) 730-7441

3. RTC 13-276 2013-7448 Discussion and Possible Action on an application by Christensen Holdings, LP for a Mitigated Negative Declaration and: USE PERMIT to construct two new office buildings on a 9.27-acre site located at 433 N. Mathilda Avenue in an M-S and an M-S/POA Zoning District (APN: 165-28-13 and 165-28-23) with a total of 213,126 square feet of floor area, and a Floor Area Ratio of 52.8%

Staff Recommendation: Alternative 1: Adopt the Mitigated Negative Declaration and approve the Use Permit with the conditions attached to the report.

Staff Contact: Trudi Ryan, (408) 730-7435

4. RTC 13-268 Discussion and Possible Action to Adopt a Resolution of Findings and Introduce Ordinances for Adoption by Reference of the 2013 California Building Codes with Local Amendments and to Consider Finding that the Action is Exempt from the California Environmental Quality Act

Staff Recommendation: Alternative 1: Adopt the resolution of local findings and approve the first reading of the ordinances adopting the 2013 California Building Codes.

Staff Contact: Diana Perkins, (408) 730-7455
5. RTC 13-278  Discussion and Possible Action to Adopt a Resolution Finding and Determining a Need for Modifications to the 2013 California Fire Code and to Introduce an Ordinance Adopting by Reference the 2013 California Fire Code with Local Amendments, Deleting Chapters 16.53 Toxic Gas and 16.54 Standards for High Rise Buildings and Modifying Title 20 Hazardous Materials and to Consider Finding that the Action is Exempt from the California Environmental Quality Act

Staff Recommendation: Alternative 1: Adopt the resolution of local findings and introduce the ordinances adopting the 2013 California Fire Code with amendments as Chapter 16.52 of the Sunnyvale Municipal Code, deleting Chapters 16.53 (Toxic Gas) and 16.54 (Standards for High Rise Buildings), and modifying Title 20 to retain only those requirements pertaining to the establishment and authority of the Consolidated Unified Program Agency (CUPA).

Staff Contact: Lynne Kilpatrick, (408) 730-7219

6. RTC 13-277  Discussion and Possible Action Regarding Approval of SMaRT Station® Operations Request for Proposals

Staff Recommendation: Alternative 1: Approve the Request for Proposals for the Operation of the Sunnyvale Materials Recovery and Transfer Station.

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

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS
- Council
- City Manager

INFORMATION ONLY REPORTS/ITEMS
- Tentative Council Meeting Agenda Calendar
- Summary of Special Council Meeting of October 25, 2013 - Follow Up: Building Collaboration and Improving Communications
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of October 17, 2013
- League of California Cities Conference Trip Report – Councilmember Moylan

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.