

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, NOVEMBER 26, 2013
WEST CONFERENCE ROOM and COUNCIL CHAMBERS
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

6 P.M. SPECIAL COUNCIL MEETING (STUDY SESSION)

City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Discussion of Council 2014 Intergovernmental Relations Assignments
Staff Contact: Yvette Blackford, (408) 730-7475
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

PRESENTATION – Role of District Attorney’s Office, Santa Clara County District Attorney Jeffrey F. Rosen (5 minutes)

PUBLIC ANNOUNCEMENTS

Each speaker is limited to three minutes for announcements of community events, programs, or recognition.

CONSENT CALENDAR

- 1.A. Approval of Draft Council Meeting Minutes of November 19, 2013
- 1.B. Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.C. RTC 13-281 Lists of Claims and Bills Approved for Payment by the City Manager – No. 686

Staff Recommendation: Approve the list of bills.

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

Other

- 1.D. RTC 13-285 Council Approval of the Final Map (Tract No. 10202) – 15 Residential Condominium Units and 5,717 Square Feet Office at 538 South Mathilda Avenue by 538 Mathilda Ave, LLC and Direct Staff to Propose an Amendment to Section 19.08 of the Municipal Code “Grant of Landscape Easement Along El Camino and Mathilda”

Staff Recommendation: Approve the final map for Tract No. 10202; authorize the Mayor to sign the subdivision agreement upon submittal of other documents deemed necessary by the Director of Public Works; direct the City Clerk to sign the City Clerk’s Statement and forward the final map for recordation; and direct staff to return to Council with an amendment to Section 19.08 of the Municipal Code to address inconsistencies between landscape easement requirements and current sidewalk standards.

Staff Contact: Bennett Chun, (408) 730-7636

- 1.E. RTC 13-286 Certification of 2013 Election Results – Ballot Measures A, B and C

Staff Recommendation: Adopt a resolution Declaring Canvass of Returns and Results of the General Municipal Election held November 5, 2013 for the purpose of submitting to the voters Measures A, B and C.

Staff Contact: Kathleen Franco Simmons, (408) 730-7474

- 1.F. ORDINANCE NO. 3006-13 Adoption of Ordinance No. 3006-13 Amending Title 16 (Building and Construction), of the Sunnyvale Municipal Code to Adopt by Reference the 2013 California Administrative Code, with Certain Deletions and Amendments Thereto, as the Administrative Code of the City of Sunnyvale

Staff Recommendation: Adopt Ordinance No. 3006-13.

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

- 1.G. ORDINANCE NO. 3007-13 Adoption of Ordinance No. 3007-13 Amending Title 16 (Building and Construction), of the Sunnyvale Municipal Code to Adopt by Reference the 2013 California Building Code, with Certain Deletions and Amendments Thereto, as the Building Code of the City of Sunnyvale

Staff Recommendation: Adopt Ordinance No. 3007-13.

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

- 1.H. ORDINANCE NO. 3008-13 Adoption of Ordinance No. 3008-13 Amending Title 16 (Building and Construction), of the Sunnyvale Municipal Code to Adopt by Reference the 2013 California Residential Code, with Certain Deletions and Amendments Thereto, as the Residential Code of the City of Sunnyvale

Staff Recommendation: Adopt Ordinance No. 3008-13.

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

- 1.I. ORDINANCE NO. 3009-13 Adoption of Ordinance No. 3009-13 Amending Title 16 (Building and Construction), of the Sunnyvale Municipal Code to Adopt by Reference the 2013 California Existing Building Code, with Certain Deletions and Amendments Thereto, as the Existing Building Code of the City of Sunnyvale

Staff Recommendation: Adopt Ordinance No. 3009-13.

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

- 1.J. ORDINANCE NO. 3010-13 Adoption of Ordinance No. 3010-13 Amending Title 16 (Building and Construction), of the Sunnyvale Municipal Code to Adopt by Reference the 2013 California Plumbing Code, with Certain Deletions and Amendments Thereto, as the Plumbing Code of the City of Sunnyvale

Staff Recommendation: Adopt Ordinance No. 3010-13.

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

- 1.K. ORDINANCE NO. 3011-13 Adoption of Ordinance No. 3011-13 Amending Title 16 (Building and Construction), of the Sunnyvale Municipal Code to Adopt by Reference the 2013 California Mechanical Code, with Certain Deletions and Amendments Thereto, as the Mechanical Code of the City of Sunnyvale

Staff Recommendation: Adopt Ordinance No. 3011-13.

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

- 1.L. ORDINANCE NO. 3012-13 Adoption of Ordinance No. 3012-13 Amending Title 16 (Building and Construction), of the Sunnyvale Municipal Code to Adopt by Reference the 2013 California Electrical Code, with Certain Deletions and Amendments Thereto, as the Electrical Code of the City of Sunnyvale

Staff Recommendation: Adopt Ordinance No. 3012-13.

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

- 1.M. ORDINANCE NO. 3013-13 Adoption of Ordinance No. 3013-13 Amending Title 16 (Building and Construction), of the Sunnyvale Municipal Code to Adopt by Reference the 2013 California Historical Building Code, with Certain Deletions and Amendments Thereto, as the Historical Building Code of the City of Sunnyvale

Staff Recommendation: Adopt Ordinance No. 3013-13.

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

- 1.N. ORDINANCE NO. 3014-13 Adoption of Ordinance No. 3014-13 Amending Title 16 (Building and Construction), of the Sunnyvale Municipal Code to Adopt by Reference the 2013 California Energy Code, with Certain Deletions and Amendments Thereto, as the Energy Code of the City of Sunnyvale

Staff Recommendation: Adopt Ordinance No. 3014-13.

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

- 1.O. ORDINANCE NO. 3015-13 Adoption of Ordinance No. 3015-13 Amending Title 16 (Building and Construction), of the Sunnyvale Municipal Code to Adopt by Reference the 2013 California Green Building Code, with Certain Deletions and Amendments Thereto, as the Green Building Code of the City of Sunnyvale

Staff Recommendation: Adopt Ordinance No. 3015-13.

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

- 1.P. ORDINANCE NO. 3016-13 Adoption of Ordinance No. 3016-13 Repealing Chapter 16.44 (Swimming Pools) of Title 16 (Building and Construction) of the Sunnyvale Municipal Code

Staff Recommendation: Adopt Ordinance No. 3016-13.

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

- 1.Q. ORDINANCE NO. 3017-13 Adoption of Ordinance No. 3017-13 Amending Title 16 (Building and Construction), of the Sunnyvale Municipal Code to Adopt by Reference the 2012 International Property Maintenance Code, with Certain Deletions and Amendments Thereto, as the Property Maintenance Code of the City of Sunnyvale

Staff Recommendation: Adopt Ordinance No. 3017-13.

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

- 1.R. ORDINANCE NO. 3018-13 Adoption of Ordinance No. 3018-13 Amending Title 16 (Building and Construction) of the Sunnyvale Municipal Code to Adopt by Reference the 2013 California Fire Code as the Fire Code of the City of Sunnyvale

Staff Recommendation: Adopt Ordinance No. 3018-13.

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

- 1.S. ORDINANCE NO. 3019-13 Adoption of Ordinance No. 3019-13 Repealing Chapter 16.53 (Toxic Gas) of Title 16 (Building And Construction) of the Sunnyvale Municipal Code

Staff Recommendation: Adopt Ordinance No. 3019-13.

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

- 1.T. ORDINANCE NO. 3020-13 Adoption of Ordinance No. 3020-13 Repealing Chapter 16.54 (High Rise Buildings) of Title 16 (Building and Construction) of the Sunnyvale Municipal Code

Staff Recommendation: Adopt Ordinance No. 3020-13.

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

- 1.U. ORDINANCE NO. 3021-13 Adoption of Ordinance No. 3021-13 Repealing Chapter 16.58 (Numbering of Buildings) of Title 16 (Building and Construction) of the Sunnyvale Municipal Code

Staff Recommendation: Adopt Ordinance No. 3021-13.
Staff Contact: Joan Borger, (408) 730-7464

- 1.V. ORDINANCE NO. 3022-13 Adoption of Ordinance No. 3022-13 Amending Title 20 (Hazardous Materials) of the Sunnyvale Municipal Code

Staff Recommendation: Adopt Ordinance No. 3022-13.
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 13-267 Discussion and Possible Action Regarding a Friendly Exchange Relationship with the City of Iizuka, Japan

Staff Recommendation: Staff makes no recommendation.
Staff Contact: Mayor Spitaleri, (408) 730-7473

3. RTC 13-266 Discussion and Possible Action Regarding Conceptual Design for the Expansion of Orchard Gardens Park

Staff Recommendation: Alternative 1: Approve the conceptual design as noted in Attachment A to the report.
Staff Contact: Nathan Scribner, (408) 730-2783

4. RTC 13-260 Discussion and Possible Action to Introduce an Ordinance to Award a Taxicab Franchise to All Time Cab

Staff Recommendation: Alternative 1: Introduce an ordinance awarding a non-exclusive franchise for taxicab service to All Time Cab for the period of December 2, 2013 through December 1, 2015, per applicant's request, and authorize the City Manager to execute necessary documents of agreement.
Staff Contact: Rachel Vasquez, (408) 730-7112

City Clerk reads the ordinance title.

5. RTC 13-262 Discussion and Possible Action to Introduce an Ordinance to Award a Taxicab Franchise to Silicon Valley Cab Co., Inc.

Staff Recommendation: Alternative 1: Introduce an ordinance awarding a non-exclusive franchise for taxicab service to Silicon Valley Cab Co., Inc. for the period of November 18, 2013 through November 17, 2015, per applicant's request, and authorize the City Manager to execute necessary documents of agreement.

Staff Contact: Rachel Vasquez, (408) 730-7112

City Clerk reads the ordinance title.

6. RTC 13-261 Discussion and Possible Action to Introduce an Ordinance to Award a Taxicab Franchise to Green Cab

Staff Recommendation: Alternative 1: Introduce an ordinance awarding a non-exclusive franchise for taxicab service to Green Cab for the period of December 2, 2013 through December 1, 2015, per applicant's request, and authorize the City Manager to execute necessary documents of agreement.

Staff Contact: Rachel Vasquez, (408) 730-7112

City Clerk reads the ordinance title.

7. RTC 13-259 Discussion and Possible Action to Introduce an Ordinance to Award a Taxicab Franchise to Classic Cab

Staff Recommendation: Alternative 1: Introduce an ordinance awarding a non-exclusive franchise for taxicab service to Classic Cab for the period of January 21, 2014 through January 20, 2016, per applicant's request, and authorize the City Manager to execute necessary documents of agreement.

Staff Contact: Rachel Vasquez, (408) 730-7112

City Clerk reads the ordinance title.

8. RTC 13-280 Discussion and Possible Action Regarding Feasibility of Establishing a Community Solar Array System and a Community Solar Volume Buying Program (Study Issue); Find a CEQA Exemption for Participation in the Solar Roadmap Project Under Section 15061(b)

Staff Recommendation:

DPW 13-11 Community Solar Array System: Alternative 1: Do not pursue construction of a Community Solar Array at this time.

ESD 12-04 Community Solar Program (Volume Buying): Alternative 2: Direct staff to participate in the American Solar Transformation Initiative's (ASTI) Solar Roadmap Project and find it exempt from CEQA review as per Section 15061(b) of Title 14 of the California Code of Regulations.

Staff Contact: Manuel Pineda, (408) 730-7426

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- City Manager

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Draft Minutes of the Board of Library Trustees Meeting of November 4, 2013
- Draft Minutes of the Parks and Recreation Commission Meeting of November 13, 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.