

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
and
SUNNYVALE REDEVELOPMENT SUCCESSOR AGENCY
TUESDAY, APRIL 30, 2013
COUNCIL CHAMBERS and WEST CONFERENCE ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

**5:30 P.M. SPECIAL JOINT MEETING OF THE CITY COUNCIL AND THE REDEVELOPMENT
SUCCESSOR AGENCY (Closed Session)**

City Council / RSA Closed Session

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/RSA beginning the Closed Session. Closed Sessions are not open to the public.*
 - a. Closed Session Conference with Legal Counsel - Initiation of Litigation pursuant to Section 54956.9 (d)(4): one potential case
4. Adjourn Special Joint Meeting of the City Council and RSA

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 Regarding Possible Transient Occupancy Tax Ballot Measure
Staff Contact: Brice McQueen, (408) 730-7284
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 REPORT FOR APRIL 30, 2013

Closed Session pursuant to Government Code Section 54956.9 (d)(4) - Conference with Legal Counsel

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 April 23, 2013
- 1.B. Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.C. RTC 13-095 List of Claims and Bills Approved for Payment by the City Manager – List No. 656
Staff Recommendation: Approve the list of bills.
Staff Contact: Pete Gonda, (408) 730-7418
- 1.D. RTC 13-097 City of Sunnyvale Investment Report – 1st Quarter 2013
Staff Recommendation: Receive and file the investment report.
Staff Contact: Therese Balbo, (408) 730-7604

Contracts

- 1.E. RTC 13-093 Award of Bid No. PW13-17 for the Theater Lighting Replacement Project
Staff Recommendation: Award a contract in the amount of \$272,970, to Musson Theatrical, Inc., for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 2. Approve a 10% construction contingency in the amount of \$27,297.
Staff Contact: Pete Gonda, (408) 730-7418
- 1.F. RTC 13-099 Amendment to Agreement for the Operation of the Sunnyvale Materials Recovery and Transfer Station (SMaRT Station)
Staff Recommendation: Alternative 1: Authorize the City Manager to execute the first amendment to the agreement for the operation of the Sunnyvale Materials Recovery and Transfer Station (SMaRT Station).
Staff Contact: Mark Bowers, (408) 730-7421

- 1.G. RTC 13-094 Award of Bid No. PW13-16 for 2012-13 Sanitary Sewer Main Replacement Phase 2

Staff Recommendation: Award a contract in the amount of \$1,025,520, to K.J. Woods Construction, 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% construction contingency in the amount of \$102,552.

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

- 1.H. RTC 13-096 Authorization for Second Amendment to an Existing Contract for the Engineering Design for the Rehabilitation of Four Air Flotation Thickeners at the Water Pollution Control Plant (F13-55)

Staff Recommendation: Approve a Second Amendment to an existing contract with RMC Water and Environment for additional engineering design and construction support services related to the Rehabilitation of AFT's at the Water Pollution Control Plant, increasing the not-to-exceed value by \$32,100, from \$478,500 to \$510,600.

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

Other Items

- 1.I. RTC 13-092 2013 Boards and Commissions Master Work Plans

Staff Recommendation: Approve the 2013 board and commission master work plans as submitted.

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

- 1.J. ORDINANCE 2995-13 Adopt Ordinance 2995-13 – An Ordinance of the City Council of the City of Sunnyvale Levying Special Taxes within the City of Sunnyvale Community Facilities District No. 3 (Estates at Sunnyvale)

Staff Recommendation: Adopt Ordinance No. 2995-13.

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 13-100 Discussion and possible action on an application to develop a multi-family structure on a 2.28-acre site (Armory site) with 117 affordable dwelling units, associated parking and landscaping located at 620 E. Maude Avenue in an M-S/ITR/R-3/PD Zoning District (APN: 205-29-014).
- Amendment to the General Plan Land Use designation from Industrial to Residential/Residential Medium Density to Residential High Density.
 - Introduction of an Ordinance to change the Zoning designation from M-S/ITR/R-3/PD to R-4/PD;
 - Special Development Permit to allow the development of 117 affordable housing units; and
 - Mitigated Negative Declaration for the General Plan Amendment, Rezone and Special Development Permit.

Staff Recommendation: Alternative 1. Adopt the Mitigated Negative Declaration , amend the General Plan, Rezone properties and approved the Special Development Permit with the following actions:

- A) Adopt a Resolution to amend the General Plan to Change the General Plan land use designation of 620 E. Maude Avenue from Industrial to Residential Medium Density (ITRMED) to Residential High Density (RHI)
- B) Introduce an ordinance to rezone 620 E. Maude Avenue Industrial Service/Industrial to Residential/ Medium Density/Planned Development (M-S/ITR/R3/PD) to High Density Residential Planned Development (R4/PD) (Attachment G).
- C) Approve the Special Development Permit with conditions listed in Attachment D to the report.

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

City Clerk reads the ordinance title.

3. RTC 13-090 Discussion and Possible Action on
- 2013-7126 General Plan Amendment to consider a change to the land use designation of three mobile home parks (Ranchero, Thunderbird, and Rancho La Mesa) from Residential Low Medium Density to Mobilehome Park.
 - A General Plan Amendment initiation request from the owners of the Thunderbird and Ranchero Mobile Estates for a study of Residential Medium Density for the mobile home park sites.

Staff Recommendation: Alternatives 1 and 2: 1) Adopt the Negative Declaration and Adopt the Resolution to change the General Plan designation from RLM to MHP for three mobile home parks (Thunderbird, Ranchero and Rancho La Mesa); and 2) Initiate a General Plan amendment study to consider adjusting the density for the MHP land use designation to better correspond with the existing densities on the mobile home park sites.

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

4. RTC 13-091 Consider Whether to Submit a Charter Amendment to the Voters to Change the Mayoral Appointment from a Two-Year Term to a One-Year Term and Provide for Selection of the Mayor by Seniority Rotation

Staff Recommendation: Staff makes no recommendation.

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

5. RTC 13-098 Discussion and Possible Action to Introduce an Ordinance to Amend Sunnyvale Municipal Code Chapter 2.24, Employer-Employee Relations, Pertaining to Impasse Procedures in Labor Negotiations

Staff Recommendation: Alternative 1: Introduce this amendment to the ordinance and place on the next City Council agenda for adoption.

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

City Clerk reads the ordinance title.

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- City Manager

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- National League of Cities Conference Trip Report, March 2013 – Councilmember Moylan
- Draft Minutes of the Parks and Recreation Meeting of April 10, 2013
- Update on Murphy Park (Information only)

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.