

**NOTICE AND AGENDA**

**SUNNYVALE CITY COUNCIL  
TUESDAY, JUNE 25, 2013  
COUNCIL CHAMBERS and WEST CONFERENCE ROOM  
CITY HALL - 456 W. OLIVE AVE.  
SUNNYVALE, CALIFORNIA**

**5:45 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. Presentation on City-Owned Property Inventory  
Staff Contact: Kent Steffens, (408) 730-7441
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 JUNE 11, 2013**

*Closed Session pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiators*

**SPECIAL ORDER OF THE DAY** – Boards and Commissions Oath of Office

**SPECIAL ORDER OF THE DAY** – Parks and Recreation Month

**SPECIAL ORDER OF THE DAY** - Recognition of the 80th Anniversary of the Loma Prieta Chapter of the Sierra Club

**SPECIAL ORDER OF THE DAY** – Santa Clara Valley Science and Engineering Fair Association’s 2013 Winners (10 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 June 11, 2013
- 1.B. Approval of Information/Action Items – Council Directions to Staff

**Fiscal Items**

- 1.C. RTC 13-156 List of Claims and Bills Approved for Payment by the City Manager – List Nos. 663 & 664

Staff Recommendation: Approve the lists of bills.

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

- 1.D. RTC 13-158 Approve Budget Modification No. 48 to Appropriate \$38,780 of Emergency Management Performance Grant Funds for Sunnyvale Emergency Operations Center Upgrade

Staff Recommendation: Approval of Budget Modification No. 48 to appropriate \$38,780 of Emergency Management Performance Grant Funds for Sunnyvale Emergency Operations Center Upgrade.

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

- 1.E. RTC 13-147 Adoption of a Resolution of Intention to Levy and Collect Assessment for the Downtown Parking Maintenance District for Fiscal Year (FY) 2013/14, and Set the Date for a Public Hearing

Staff Recommendation: City Council allow staff to file the approved preliminary Engineer’s Report, publish the Notice of Public Hearing and return to Council on July 9, 2013 for the public hearing.

Staff Contact: Judy Chu, (408) 730-7413

**Personnel**

- 1.F. RTC 13-102 Adoption of Amended Civil Service Rules and Regulations

Staff Recommendation: Adopt the amended Civil Service Rules and Regulations as recommended by the Personnel Board

Staff Contact: Doug Baker, (408) 730-2705

- 1.G. RTC 13-153 Approval to Conform Employer Paid Member Contribution Resolutions for the California Public Employees’ Retirement System

Staff Recommendation: Approve Employer Paid Member Contribution Resolutions to be compliant with CalPERS regulations

Staff Contact: Doug Baker, (408) 730-2705

**Contracts**

- 1.H. RTC 13-155 Award of Bid No. PW13-10 for Air Flotation Tank 1 & 4 Improvements

Staff Recommendation: 1. Award a contract in the amount of \$1,924,070 to Anderson Pacific Engineering Construction, 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 \$192,407.

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

- 1.I. RTC 13-151 Award of Contract for Design of Safe Routes to School Improvements Project (F13-41)

Staff Recommendation: 1. Award a contract in substantially the same form as the draft in the report in the amount of \$101,890 to Bellecci & Associates 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% contract contingency in the amount of \$10,189.

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

- 1.J. RTC 13-150 Award of Bid No. PW13-18 for Pavement Rehabilitation 2013

Staff Recommendation: 1. Award a contract in substantially the same format as the draft in the report in the amount of \$4,918,942, to Granite Rock Co. dba Pavex Construction Division, for 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 \$491,894.

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

- 1.K. RTC 13-146 Award of Bid No. PW13-11 for Hendy Avenue Complete Street Improvements and Approval of Budget Modification No. 47

Staff Recommendation: 1. Award a contract in substantially the same format as the draft in the report in the amount of \$2,147,400, to O'Grady Paving, 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 \$214,740; and 3. Approve Budget Modification No. 47 to provide additional funding for this project.

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. Discussion and Possible Action on a Ballot Measure concerning sensible gun measures.  
Contact: Mayor Anthony (Tony) Spitaleri
3. RTC 13-160 Adoption of the FY 2013/14 Budget, Fee Schedule, and Appropriations Limit

Staff Recommendation: Alternative 1. Approve the resolutions to adopt the FY 2013/14 Budget, Fee Schedule, and Appropriations Limit as presented in this report.

Staff Contact: Drew Corbett, (408) 730-7603

4. RTC 13-145 Discussion and Possible Actions on Election Notice, Ground Leases, and Loan and Regulatory Agreements with MidPen Housing and Charities Housing for an Affordable Housing Project on the Armory Site, located at 620 E. Maude Avenue

Staff Recommendation: Alternative 1: Approve the Election Notice, Long-Term Ground Leases and Loan and Regulatory Agreements in substantially the same form as provided, and authorize the City Manager to execute these documents in final form as approved by the City Attorney.

Staff Contact: Suzanne Ise, (408) 730-7698

5. RTC 13-149 2011-7070 Discussion and Possible Action to Introduce an Ordinance Amending Chapter 19.44 (Signs) of Title 19 (Zoning) of the Sunnyvale Municipal Code (Study Issue)

Staff Recommendation: Alternative 1: Introduce an ordinance to amend the sign regulations in Chapter 19.44 and relating sections of Title 19 (Zoning) of the Sunnyvale Municipal Code, which includes the recommended Planning Commission amendment to increase the hold time for Electronic Message Center (EMC) signs to two minutes.

Staff Contact: Andrew Miner, (408) 730-7707

6. RTC 13-152 Amendment to the Salary Resolution to Clarify Language Related to Salary and Benefits for Unrepresented Classified Confidential Employees; Revise Language Related to Retirement Benefits; and Revise Language Related to Merit Increase Timing for Management Employees

Staff Recommendation: Adopt the amended Salary Resolution.

Staff Contact: Doug Baker, (408) 730-2705

7. RTC 13-154 Discussion and Possible Action to Amend the Salary Tables of the Salary Resolution and Classification Plan to Include the Following Classification Title Changes: Parks Supervisor; to Add the Newly Established Classifications of Help Desk Technician, Personal Computer Technician, Public Safety Communications Manager, Public Safety Records

Manager, and Principal Transportation Engineer/ Planner; and to provide a 2% salary increase to Unrepresented Classified Management employees, Unrepresented Unclassified Management employees, and Department Directors

Staff Recommendation: Alternative 1: Adopt resolutions to amend the Salary Tables of the City's Salary Resolution and Classification Plan to change the classification titles and to add the newly established classifications of Help Desk Technician, Personal Computer Technician, Public Safety Communications Manager, Public Safety Records Manager, and Principal Transportation Engineer/ Planner as listed in the report that will become effective the beginning of the first pay period after June 25, 2013. The salary table also reflects the 2% salary increase presented in the 2013/14 budget to be effective the first full pay period of July 1, 2013.

Staff Contact: Delanie LoFranco, (408) 730-2734

8. RTC 13-159 Discussion and Possible Action on Award of Contract to Prepare the Peery Park Specific Plan and Environmental Impact Report (F13-39) and Budget Modification No. 46

Staff Recommendation: Alternatives 1, 2, 3 and 4: 1) Award a contract, in substantially the same form as the draft in the report in the amount of \$526,218 to Freedman, Tung & Sasaki to prepare the Peery Park Specific Plan and Environmental Impact Report; 2) Approve an amount not-to-exceed \$23,280 for As-needed services; 3) Approve a contract contingency in the amount of \$40,502; and 4) Approve Budget Modification No. 46 to provide additional funding for the project.

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

## **COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

### **NON-AGENDA ITEMS & COMMENTS**

- Council
- City Manager

### **INFORMATION ONLY REPORTS/ITEMS**

- Tentative Council Meeting Agenda Calendar
- RTC 13-148 955 Stewart Drive Park-Land Dedication Requirements- Information Only
- Draft Minutes of the Board of Library Trustees Meeting of May 13, 2013
- Draft Minutes of the Heritage Preservation Commission Meeting of June 5, 2013.

### **ADJOURNMENT**

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**Notice to the Public:**

The agenda reports to council (RTC's) may be viewed on the City's Web site at [sunnyvale.ca.gov](http://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](http://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](http://CouncilMeetings.inSunnyvale.com) for upcoming Council meeting information.

Visit [BoardsandCommissions.inSunnyvale.com](http://BoardsandCommissions.inSunnyvale.com) for upcoming board and commission meeting information.

For a complete schedule of KSUN-15 Council meeting broadcasts, visit [KSUN.insunnyvale.com](http://KSUN.insunnyvale.com).