

## NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL  
TUESDAY, APRIL 1, 2008  
COUNCIL CHAMBERS, 456 W. OLIVE AVE.  
SUNNYVALE, CALIFORNIA

7 P.M. REGULAR MEETING

### SALUTE TO THE FLAG

### ROLL CALL

*(Per Council Policy, the 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 and will be placed at the beginning of the public hearings/general business portion of the ensuing agenda. At approximately 9:30 p.m., Council will make an announcement indicating that items may not be heard after 11:30 p.m. Information provided herein could be subject to change from date of printing of the agenda to the date of the meeting.)*

### SPECIAL ORDER OF THE DAY– Airship Ventures Presentation

### PUBLIC ANNOUNCEMENTS

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

### CONSENT CALENDAR

- 1.A. MOTION Approval of Draft Minutes of March 18, 2008
- 1.B. MOTION Approval of Information/Action Items – Council Directions to Staff

### Fiscal Items

- 1.C. MOTION List of Claims and Bills Approved for Payment by the City Manager –  
RTC 08–090 Lists No. 393 & 394

Staff Recommendation: Council reviews the attached list of bills.

Staff Contact: Mary Bradley, (408) 730-7398

- 1.D. MOTION 2008 Boards and Commissions Master Work Plans  
RTC 08–094

Staff Recommendation: Council approves the 2008 Boards and Commissions Master Work Plans as submitted.

Staff Contact: Janice Clark, (408) 730-7595

- 1.E. MOTION Award of a Contract to Develop, Design and Prepare Construction Documents for Streetscape Improvement and Utility Rehabilitation on Murphy Avenue (F0701-67)  
RTC 08-091

Staff Recommendation:

- Council awards a contract, in substantially the same form as the attached draft, in the amount of \$786,551 to Royston Hanamoto Alley & Abey (RHAA) for design services and construction documents for Murphy Avenue Streetscape Improvements and Utility Rehabilitation; and
- Council approves a design contingency in the amount of \$78,655.

Staff Contact: Mary Bradley, (408) 730-7398

- 1.F. MOTION Notice of Intent to Apply for, Accept, and Appropriate a Grant from the Office of Traffic Safety in the Amount of \$10,000 for Seat Belt Enforcement and Budget Modification No. 42  
RTC 08-082

Staff Recommendation:

- Council authorizes staff to apply for the OTS Click It or Ticket mini-grant for overtime costs for special enforcement during the national campaign, May 12 – June 1, 2008; and
- Council approves Budget Modification No. 42, if the grant is awarded, and appropriates monies to a special project to finance the associated overtime expenses.

Staff Contact: Heather Tannehill, (408) 730-7157

- 1.G. MOTION Approval to Accept Onizuka AFS Base Realignment and Closure (BRAC) Phase 2 Funding, and Budget Modification No. 41  
RTC 08-086

Staff Recommendation: Council approves Budget Modification No. 41 to incorporate Onizuka AFS Base Realignment and Closure (BRAC) Phase 2 funding in the BRAC project budget.

Staff Contact: Coryn Campbell, (408) 730-7475

**Contract Items**

- 1.H. MOTION Reject All Bids Received in Response to Invitation for Bids F0701-64 For Pavement Rehabilitation of Various Streets in the City of Sunnyvale  
RTC 08-098

Staff Recommendation: Council rejects all bids received in response to Invitation for Bids F0701-64.

Staff Contact: Karen Theriault, (408) 730-7418

- 1.I. MOTION Award of Bid No. F0701-63 for Street Tree Stump Removal Services  
RTC 08-097

Staff Recommendation: Council awards two Blanket Purchase Orders, in substantially the same form as the attached drafts and in a combined amount of \$85,450, to Anderson's Tree Care of San Jose for street tree stump removal services as required by the Department of Public Works Street Tree Services.

Staff Contact: Karen Theriault, (408) 730-7418

- 1.J. MOTION Award of Bid No. F0701-62 for Street Tree Planting Services  
RTC 08-096

Staff Recommendation: Council awards two Blanket Purchase Orders, in substantially the same form as the attached drafts and in a combined amount of \$61,550, to West Coast Arborists of Anaheim for street tree planting services as required by the Department of Public Works Trees & Landscaping.  
Staff Contact: Karen Theriault, (408) 730-7418

### Other Items

- 1.K. MOTION FY 2007-2008 Department of Employment Development Expenditure and  
RTC 08-093 Revenue Update, the Impact on Allocated Personnel Positions, and  
Approval of Budget Modification No. 45

Staff Recommendation: Council approves Budget Modification No. 45  
Staff Contact: Mike Curran, (408) 730-7248

### STAFF RESPONSES TO PRIOR PUBLIC COMMENTS

*Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments.*

### 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 10 minutes for closing comments.***

2. MOTION 2007-0822 Appeal by a resident of a decision by the Planning  
RTC 08-092 Commission approving a Use Permit to allow a modified design for an  
existing 9'7" tall wood fence in the reducible front yard for an application  
located at 734 Liverpool Way (near Goldfinch Way) in an R-0 (Low  
Density Residential) Zoning District

Staff Recommendation: Council upholds the decision of the Planning Commission approving the Use Permit with clarified Conditions of Approval to indicate setback and height of fence consistent with the Planning Commission action.  
Staff Contact: Mariya Hodge, (408) 730-7659

3. MOTION Appointment of Sunnyvale Representative to the Advisory Council to  
RTC 08–089 the Council on Aging (ACCOA)

Staff Recommendation:

- Council confirms Advisory Council to the Council on Aging appointment as a Council Intergovernmental Relation assignment appointed by the Mayor; and
- Council directs staff to recommend individuals for vacancies as they occur.

Staff Contact: Yvette Agredano, (408) 730-7536

4. ORDINANCE Award of Taxicab Franchise to A-1 Cab Company  
MOTION  
RTC 08–088

Staff Recommendation: Council adopts an ordinance awarding a non-exclusive franchise for taxicab service to A-1 Cab Company for the period of May 9, 2008 through May 8, 2010 per applicant request, and authorizes the City Manager to execute necessary documents of agreement.

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

5. MOTION Consideration of Additional Budget Issues and Possible Policy  
RTC 08–100 Revisions

Staff Recommendation:

- Council approves one or more additional budget issue papers for Council's consideration in the FY 2008/09 budget transmittal; and
- Council creates Council policy requiring that all future years' budget issues be approved by a majority vote of City Council, and by no later than the last week of February each year. Defer any budget issue papers raised after each Budget Issues Workshop (or another specific date as determined by Council) to the following fiscal year's Budget Issue Workshop (similar to the manner in which new Study Issues are forwarded to the next calendar year's Study Issues Workshop).

Staff Contact: Robert Walker, (408) 730-7458

**NON-AGENDA ITEMS & COMMENTS**

- Council
- Staff

**INFORMATION ONLY REPORTS/ITEMS**

- Tentative Council Meeting Agenda Calendar
- Draft Minutes of the Arts Commission Meeting of February 20, 2008
- RTC 08-099 Board and Commission Resignation

**ADJOURNMENT TO STUDY SESSION**

**SPECIAL COUNCIL MEETING (Study Session)**

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene Study Session – **Options for Reconfiguring the Composition of the VTA Board**
4. Public Comments
5. Adjourn Special Meeting

**Notice to the Public:**

The agenda reports to council (RTC's) may be viewed on the City's Web site at <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. 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. (29 CFR 35.104 ADA Title II).

## **GUIDELINES FOR ADDRESSING THE CITY COUNCIL**

### **Public Announcement – Beginning of Council Meeting**

- Three minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community-wide interest that occur on an annual basis. (only announce one time).

### **Public Hearing – Order of Hearing as Follows:**

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 10 minutes.
- Time limit of three minutes per person (may be extended at discretion of mayor). Please make comments brief and be prepared to provide new input.

### **Public Comments**

- Any item relevant to the City of Sunnyvale.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/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.

### **Planning a presentation for a City Council/Planning Commission meeting?**

To assist you in utilizing the technology available in the Council Chambers, the publication "*How to Make Your Council Chambers Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chambers prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at <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.

**SCHEDULED COUNCIL MEETINGS**

<b>DATE</b>	<b>MEETING</b>	<b>TIME</b>	<b>PLACE</b>
April 1, 2008	Council Meeting	7 p.m.	Council Chambers
April 8, 2008	Council Meeting	7 p.m.	Council Chambers
April 22, 2008	Council Meeting	7 p.m.	Council Chambers
April 29, 2008	Council Meeting	7 p.m.	Council Chambers
May 6, 2008	Council Meeting	7 p.m.	Council Chambers
May 13, 2008	Council Meeting	7 p.m.	Council Chambers
May 23, 2008	City Manager's Recommended Budget Workshop	8:30 p.m.	Council Chambers

**OTHER SCHEDULED MEETINGS**

April 7, 2008	Board of Library Trustees	7 p.m.	Council Chambers
April 9, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers
April 14, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
April 14, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
April 16, 2008	Administrative Hearing	2 p.m.	West Conf. Room
April 16, 2008	Housing & Human Services Commission	7 p.m.	West Conf. Room
April 16, 2008	Arts Commission	7 p.m.	Council Chambers
April 17, 2008	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conf. Room
April 21, 2008	Personnel Board	5 p.m.	Council Chambers
April 28, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
April 28, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
April 30, 2008	Administrative Hearing	2 p.m.	West Conf. Room
May 14, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers
May 21, 2008	Arts Commission	7 p.m.	Council Chambers
June 11, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers
June 18, 2008	Arts Commission	7 p.m.	Council Chambers
July 9, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers

**CHANNEL 15 – KSUN**

April 1, 2008	City Council Meeting – Live	7 p.m.
April 2, 2008	City Council Meeting – Replay of April 1, 2008	7 p.m.
April 6, 2008	City Council Meeting – Replay of April 1, 2008	4 p.m.
April 8, 2008	City Council Meeting – Live	7 p.m.
April 9, 2008	City Council Meeting – Replay of April 8, 2008	7 p.m.
April 13, 2008	City Council Meeting – Replay of April 8, 2008	4 p.m.
April 22, 2008	City Council Meeting – Live	7 p.m.
April 23, 2008	City Council Meeting – Replay of April 22, 2008	7 p.m.
April 27, 2008	City Council Meeting – Replay of April 22, 2008	4 p.m.
April 29, 2008	City Council Meeting – Live	7 p.m.
April 30, 2008	City Council Meeting – Replay of April 29, 2008	7 p.m.
May 4, 2008	City Council Meeting – Replay of April 29, 2008	4 p.m.
May 6, 2008	City Council Meeting – Live	7 p.m.
May 7, 2008	City Council Meeting – Replay of May 6, 2008	7 p.m.
May 11, 2008	City Council Meeting – Replay of May 6, 2008	4 p.m.
May 13, 2008	City Council Meeting – Live	7 p.m.
May 14, 2008	City Council Meeting – Replay of May 13, 2008	7 p.m.
May 18, 2008	City Council Meeting – Replay of May 13, 2008	4 p.m.
May 23, 2008	City Council Meeting – Live	8:30 p.m.
May 24, 2008	City Council Meeting – Replay of City Manager's Recommended Budget Workshop on May 23, 2008	8:30 p.m.
May 28, 2008	City Council Meeting – Replay of City Manager's Recommended Budget Workshop on May 23, 2008	8:30 p.m.