

**REVISED  
NOTICE AND AGENDA  
SUNNYVALE CITY COUNCIL,  
REDEVELOPMENT AGENCY MEETING,  
AND ONIZUKA LOCAL REDEVELOPMENT AUTHORITY MEETING  
TUESDAY, SEPTEMBER 30, 2008  
COUNCIL CHAMBERS, 456 W. OLIVE AVE.  
SUNNYVALE, CALIFORNIA**

**5 P.M. SPECIAL COUNCIL MEETING (Study Session)**

City Council and Board of Library Trustees Joint Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Study Session – **Exploration of a Branch Library in Sunnyvale**
4. Public Comment
5. Adjourn Special Meeting

**6 P.M. SPECIAL COUNCIL MEETING (Closed Session)**

City Council 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 beginning the Closed Session. Closed Sessions are not open to the public.*  
**Conference with Labor Negotiators pursuant to Government Code 54987.6**  
**Negotiator: Erwin Young, Director of Human Resources**  
**Employee Organizations: Sunnyvale Employees Association (SEA), Service Employees International Union (SEIU) Local 715 (part-time employees)**
4. Adjourn Special Meeting

**7 P.M. COUNCIL MEETING**

*Pursuant to 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. Information provided herein could be subject to change from date of printing of the agenda to the date of the meeting.*

**SALUTE TO THE FLAG**

**ROLL CALL**

*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, CA. during normal business hours, posted online with the agenda following the meeting, and in the Council Chambers on the evening of the Council Meeting, pursuant to Government Code §54957.5.*

**SPECIAL ORDER OF THE DAY – National Breast Cancer Awareness Month**

**SPECIAL ORDER OF THE DAY – October is Arts and Humanities Month**

**CLOSED SESSION REPORT FOR SEPTEMBER 16, 2008**

**Potential Threat to Public Services or Facilities: Consultation with Sunnyvale Department of Public Safety, Director of Public Safety, Deputy Chief of Patrol Services, Deputy Chief of Special Operations and Special Operations Captain, pursuant to Government Code Section 54957**

**CLOSED SESSION REPORT FOR SEPTEMBER 16, 2008**

**Closed Session pursuant to Government Code Section 54957 – Public Employee Appointment.  
Title: City Manager**

**CLOSED SESSION REPORT FOR SEPTEMBER 30, 2008**

**Conference with Labor Negotiators pursuant to Government Code 54987.6  
Negotiator: Erwin Young, Director of Human Resources  
Employee Organizations: Sunnyvale Employees Association (SEA), Service Employees International Union (SEIU) Local 715 (part-time employees)**

**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 August 26, 2008
- 1.B. MOTION Approval of Draft Minutes of September 16, 2008
- 1.C. MOTION Approval of Information/Action Items – Council Directions to Staff

**Fiscal Items**

- 1.D. MOTION List of Claims and Bills Approved for Payment by the City Manager – List  
RTC 08–281 No. 419 & 420

Staff Recommendation: Council reviews the attached lists of bills.

Staff Contact: Pete Gonda, (408) 730-7385

- 1.E. MOTION Transmittal of Performance Results Audit of FY 2006/2007 for Program  
RTC 08–284 117 – City Streetlight System

Staff Recommendation: Council receives the audit report and concurs with management's acceptance of recommendations.

Staff Contact: Ann Durkes, (408) 730-2717

- 1.F. MOTION Acceptance of Donation from Kaiser Permanente for Funding of a Traffic  
RTC 08–278 Study and Approval of Budget Modification No. 10

Staff Recommendation:

- Council accepts the donation of \$46,530 from Kaiser Permanente,
- Council appropriates these funds to a new project for the traffic study of access alternatives to the Kaiser Santa Clara Medical facility, and

- Council approves Budget Modification No. 10  
Staff Contact: Jack Witthaus, (408) 730-7330

### **Contracts**

- 1.G. MOTION Award of Contract for Design of Facility Improvements for the Removal of  
RTC 08–289 Sediment from the Oxidation Ponds at the Water Pollution Plan (F0808-10)

Staff Recommendation:

- Council approves a consultant services agreement, in substantially the same form as the attached draft and in the amount of \$100,990, to Lee & Ro, Inc. to provide infrastructure improvement design services as required at the Water Pollution Control Plant for the Pond Sediment Removal Project, and
- Council approves a design contingency in the amount of \$15,000

Staff Contact: Pete Gonda, (408) 730-7385

- 1.H. MOTION Award of Bid No. F807-07 for Solar Powered Radar Speed Signs  
RTC 08–290

Staff Recommendation: Council awards a contract in substantially the same form as the attached draft Purchase Order and in the amount of \$107,979, to FORTEL Traffic, Inc. to provide fifteen solar powered, pole mounted radar speed signs.

Staff Contact: Pete Gonda, (408) 730-7385

### **Personnel**

- 1.I. MOTION Renewal of Contracts for Dental Insurance for Calendar Year 2008 and  
RTC 08–279 Vision Insurance for Calendar Years 2009/2010

Staff Recommendation: Council authorizes the Director of Human Resources to enter into a contract with Delta Dental for the period January 1, 2009 through December 31, 2009, and authorizes the Director of Human Resources to enter into a contract with Vision Service Plan for the period January 1, 2009 through December 31, 2010.

Staff Contact: Dee Schabot, (408) 730-7534

- 1.J. MOTION Amendment to the Classification Plan and Salary Resolution to Add the  
RTC 08–280 Newly-Established Classifications of the Water Distribution Series, including: Public Works Maintenance Worker I/II; Water Distribution Worker: Senior Water Distribution Worker; Water Distribution Crew Leader; Senior Water Distribution Crew Leader; Water Operations Manager; and Approval of Budget Modification No. 11

Staff Recommendation: Council adopts resolution to amend the City's Classification Plan and Salary Resolution to add the newly-established classifications of the Water Distribution series that will become effective October 5, 2008 and approve Budget Modification No. 11.

Staff Contact: Karen Woblesky, (408) 730-2715

**Other Items**

- 1.K. MOTION Authorization to Award Contract in the Amount of \$276,000 to Vietnam  
RTC 08-276 Veterans of California for Homeless Veterans Reintegration Program

Staff Recommendation: Council, on behalf of NOVA seven-city consortium, authorizes the award of a contract in the amount of \$276,000 to Vietnam Veterans of California to provide services for the Homeless Veterans Reintegration Program.

Staff Contact: Mike Curran, (408) 730-7248

- 1.L. MOTION City's 2008 Conflict of Interest Code Biennial Notice  
RTC 08-277

Staff Recommendation: Council (as the City's code reviewing body) reviews and files the Conflict of Interest Code Biennial Notice.

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

**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 Appointment of City Manager and Approval of Employment Contract and  
RTC 08-291 Approval of Budget Modification No. 12

Staff Recommendation: Council adopts a resolution approving the appointment of Gary Luebbers to the position of city manager and approves the contract as attached (Exhibit 1 to the Resolution); and approves Budget Modification No. 12.

Staff Contact: Erwin Young, (408) 730-7490

**PUBLIC HEARINGS/GENERAL BUSINESS – cont.**

3. ORDINANCE 2007-0754 Amendments to Title 19 to Implement Policy Amendments to  
MOTION Parking Standards and Requirements Adopted by the City Council on  
RTC 08–285 February 26, 2008

Staff Recommendation: Council adopts the ordinance language as amended by Planning Commission (Attachment B).

Staff Contact: Diana O'Dell, (408) 730-7257

4. ORDINANCE 2007-0800 Amendments to Title 19 and Title 9 to Implement the City-  
MOTION wide Solar Energy Plan Policies. Adopted by the City Council on  
RTC 08–287 December 11, 2007

Staff Recommendation: Council repeals Sunnyvale Municipal Code 19.56.030 and adopts ordinance language (Attachment B) as amended by Planning Commission.

Staff Contact: Diana O'Dell, (408) 730-7257

5. ORDINANCE 2008-0376 Amendments to Title 19 to Clarify Requirements for Bounce  
MOTION Houses. Adopted by the City Council on April 29, 2008  
RTC 08–286

Staff Recommendation: Council adopts the ordinance language as amended by Planning Commission (Attachment B).

Staff Contact: Diana O'Dell, (408) 730-7257

6. ORDINANCE Award of Taxicab Franchise to A Orange Cab, Inc.  
MOTION  
RTC 08–274

Staff Recommendation: Council introduces and adopts ordinance awarding a non-exclusive franchise for taxicab service to A Orange Cab, Inc. for a period December 29, 2008 through December 28, 2010 pursuant to applicant's request, and authorizes the City Manager to execute necessary documents of agreement.

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

7. ORDINANCE Award of Taxicab Franchise to Yellow Checker Cab Company, Inc. dba  
MOTION Checker Cab of Silicon Valley  
RTC 08–275

Staff Recommendation: Council introduces and adopts ordinance awarding a non-exclusive franchise for taxicab service to Checker Cab of Silicon Valley for the period of October 19, 2008 through October 18, 2010 pursuant to applicant's request, and authorizes the City Manager to execute necessary documents of agreement.

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

**PUBLIC HEARINGS/GENERAL BUSINESS – cont.**

8. ORDINANCE Award of Taxicab Franchise to Yellow Cab Company Peninsula, Inc.  
MOTION  
RTC 08–273

Staff Recommendation: Council introduces and adopts ordinance awarding a non-exclusive franchise for taxicab service to Yellow Cab Company Peninsula for the period September 28, 2008 through September 27, 2010 pursuant to applicant's request, and authorizes the City Manager to execute necessary documents of agreement.

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

9. MOTION Positions on State and Local Ballot Measures for November 2008  
RTC 08–292 Election

Staff Recommendation: Council adopts the following positions on the ballot measures:

*State Ballot Measures:*

Proposition 1A – Safe, Reliable High-Speed Passenger Train Bond Act:

OPPOSE-NEUTRAL

Proposition 2 - Treatment of Farm Animals: SUPPORT

Proposition 3 – Children's Hospital Bond Act. Grant Program: SUPPORT

Proposition 5 – Nonviolent Offenders. Sentencing, Parole and Rehabilitation: OPPOSE

Proposition 6 – Criminal Penalties and Laws. Public Safety Funding: NEUTRAL

*Local Ballot Measures:*

A – Hospital Seismic Safety and Medical Facilities: SUPPORT

B – Bart to South Bay: NEUTRAL

C – Adoption of the Valley Transportation Plan 2035: SUPPORT

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

**NON-AGENDA ITEMS & COMMENTS**

- Council
- Staff

**INFORMATION ONLY REPORTS/ITEMS**

- Tentative Council Meeting Agenda Calendar
- Draft Minutes of the Board of Library Trustees Meeting of September 8, 2008
- RTC 08-282 Distribution of FY 2004/2005 and 2006/07 Quality of Life Index Reports – Information Only
- Approved Minutes for Housing & Human Services Commission Meeting of August 27, 2008
- Draft Minutes of the Parks & Recreation Commission Meeting of September 10, 2008

**ADJOURNMENT TO THE REDEVELOPMENT AGENCY**

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**REDEVELOPMENT AGENCY**

**ROLL CALL**

**PUBLIC ANNOUNCEMENTS**

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

**CONSENT CALENDAR**

RDA 1.A. MOTION Approval of Draft Minutes of Regular Meeting of August 26, 2008

**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 Agency 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 Agency Chair) 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 Agency members. If you wish to address the Agency, please complete a speaker card and give it to the Agency Clerk. Individuals are limited to one appearance during this section.*

**INFORMATION ONLY REPORTS/ITEMS**

- RDA 08-004 Completion of Operation and Reciprocal Easement Agreement for Town Center, and Property Conveyances To Target (Information Only)

**ADJOURNMENT TO CITY COUNCIL SPECIAL MEETING – CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATOR, PURSUANT TO GOVERNMENT CODE 54596.8**

<b>SPECIAL COUNCIL MEETING (Closed Session)</b>
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City Council 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 beginning the Closed Session. Closed Sessions are not open to the public.*
  - **Title: Conference with Real Property Negotiator, pursuant to Government Code 54596.8.**  
**Properties: Onizuka Air Force Station**  
**Negotiating Parties: Amy Chan (City); Department of Defense**  
**Under Negotiation: Method of Conveyance of Surplus Federal Property**
4. Adjourn Special Meeting

**ADJOURNMENT TO SPECIAL MEETING – STUDY SESSION OF THE ONIZUKA LOCAL REDEVELOPMENT AUTHORITY FOLLOWING CITY COUNCIL CLOSED SESSION – CONFERENCE WITH REAL PROPERTY NEGOTIATOR, PURSUANT TO GOVERNMENT CODE SECTION 54596.8**

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**ONIZUKA LOCAL REDEVELOPMENT AUTHORITY**

**SPECIAL MEETING (Study Session)**

Onizuka Local Redevelopment Authority Study Session

1. Call to Order in the West Conference Room (Open to the Public)
  2. Roll Call
  3. Convene to Study Session – **Review of Timeline, Next Steps & Reuse Options**
  4. Public Comment
  5. Adjourn Special Meeting
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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 <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>
September 30, 2008	Council Meeting	7 p.m.	Council Chambers
October 7, 2008	Council Meeting	7 p.m.	Council Chambers
October 14, 2008	Council Meeting	7 p.m.	Council Chambers
October 21, 2008	Council Meeting	7 p.m.	Council Chambers
October 28, 2008	Council Meeting	7 p.m.	Council Chambers
November 18, 2008	Council Meeting	7 p.m.	Council Chambers
November 25, 2008	Council Meeting	7 p.m.	Council Chambers
December 2, 2008	Council Meeting	7 p.m.	Council Chambers

**OTHER SCHEDULED MEETINGS**

October 1, 2008	Heritage Preservation Commission	7 p.m.	West Conf. Room
October 6, 2008	Board of Library Trustees	7 p.m.	Council Chambers
October 8, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers
October 13, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
October 13, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
October 15, 2008	Administrative Hearing	2 p.m.	West Conf. Room
October 15, 2008	Arts Commission	7 p.m.	Council Chambers
October 16, 2008	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West. Conf. Room
October 20, 2008	Personnel Board	5 p.m.	Council Chambers
October 22, 2008	Housing & Human Services Commission	7 p.m.	West Conf. Room
October 27, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room

**CHANNEL 15 – KSUN**

September 30, 2008	City Council Meeting – Live	7 p.m.
October 1, 2008	City Council Meeting – Replay of September 30, 2008	7 p.m.
October 5, 2008	City Council Meeting – Replay of September 30, 2008	4 p.m.
October 7, 2008	City Council Meeting – Live	7 p.m.
October 8, 2008	City Council Meeting – Replay of October 7, 2008	7 p.m.
October 12, 2008	City Council Meeting – Replay of October 7, 2008	4 p.m.
October 14, 2008	City Council Meeting – Live	7 p.m.
October 15, 2008	City Council Meeting – Replay of October 14, 2008	7 p.m.
October 19, 2008	City Council Meeting – Replay of October 14, 2008	4 p.m.
October 21, 2008	City Council Meeting – Live	7 p.m.
October 22, 2008	City Council Meeting – Replay of October 21, 2008	7 p.m.
October 26, 2008	City Council Meeting - Replay of October 21, 2008	4 p.m.
October 28, 2008	City Council Meeting – Live	7 p.m.
October 29, 2008	City Council Meeting – Replay of October 28, 2008	7 p.m.
November 2, 2008	City Council Meeting - Replay of October 28, 2008	4 p.m.
November 18, 2008	City Council Meeting - Live	7 p.m.
November 19, 2008	City Council Meeting - Replay of November 18, 2008	7 p.m.
November 23, 2008	City Council Meeting - Replay of November 18, 2008	4 p.m.
November 25, 2008	City Council Meeting - Live	7 p.m.
November 26, 2008	City Council Meeting - Replay of November 25, 2008	7 p.m.
November 30, 2008	City Council Meeting - Replay of November 25, 2008	4 p.m.
December 2, 2008	City Council Meeting - Live	7 p.m.
December 3, 2008	City Council Meeting - Replay of December 2, 2008	7 p.m.
December 7, 2008	City Council Meeting - Replay of December 2, 2008	4 p.m.

