

NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL,
TUESDAY, MARCH 3, 2009
COUNCIL CHAMBERS, 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA

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.*
 - **Closed Session pursuant to Section 54956.8 – Conference with Real Property Negotiator Property: Sunnyvale Town Center Negotiating Parties: Gary Luebbers, Agency Director; Peter Pau and Catherine Minor, Sunnyvale Mixed Use LLC Under Negotiation: Terms of ARDDOPA**
4. 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. At approximately 9:30 p.m., Council will make an announcement indicating that items may not be heard after 11:30 p.m. 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

SALUTE TO THE FLAG

ROLL CALL

SPECIAL ORDER OF THE DAY – Proclamation Recognizing Arbor Day

SPECIAL ORDER OF THE DAY – Certificate of Congratulations for NetApp

PUBLIC ANNOUNCEMENTS

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

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 and in the Council Chambers on the evening of the Council Meeting, pursuant to Government Code §54957.5.

CONSENT CALENDAR

- 1.A. MOTION Approval of Council Meeting Minutes of December 9, 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 – List
RTC 09-059 No. 442

Staff Recommendation: Council reviews the attached lists of bills.

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

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 at 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. ORDINANCE 2008-1245 - Mid-Peninsula Housing Coalition [Applicant], County of
MOTION Santa Clara [Owner], City of Sunnyvale [Lessee]: Applications for 2.6
RTC 09-064 acre site located at 660 S. Fair Oaks Avenue (Santa Clara County Clinic)
in an R-4 (High Density Residential) Zoning District (APN: 211-02-021,
022 and 023):
- Rezone from R-4 (High Density Residential) to R-4/PD (High Density Residential /Planned Development);
 - Special Development Permit to allow the development of 124 senior housing units with underground parking

Staff Recommendation: Alternative No. 1 – Council adopts the Mitigated Negative Declaration and introduces an ordinance to Rezone and approves the Special Development Permit with conditions. Additionally, Council requires the County garage to be partially submerged with enhanced landscaping and architecture.

Staff Contact: Gerri Caruso, (408) 730-7591

3. MOTION Approval of a Disposition & Development Agreement Between the City
RTC 09-065 and Mid-Peninsula Housing Coalition Regarding Assignment of a Ground
Lease and Development of 124 Units of Affordable Senior Housing at
660 S. Fair Oaks Avenue

Staff Recommendation: Alternative No. 1 – Council approves the attached Deposition and
Development Agreement (DDA) with Mid-Peninsula Housing Coalition

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

4. MOTION Procedure for Selecting Directors of the Santa Clara Valley
RTC 09-063 Transportation Authority Board

Staff Recommendation: Alternative No. 1 - Council approves the attached Procedure for
Selecting Directors of the Valley Transportation Authority Board of Directors.

Staff Contact: Jack Witthaus (408) 730-7330

5. ORDINANCE Amendment to Sunnyvale Municipal Code Chapter 5.36 (Taxicabs)
MOTION Related to Taxicab Franchises
RTC 09-056

Staff Recommendation: Alternative No. 1 – Council adopts the proposed ordinance
amending Chapter 5.36

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

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- RTC 09-060 Boards and Commissions Quarterly Attendance Report (Fall 2008) – Information Only
- RTC 09-061 Board and Commission Resignations – Information Only
- Draft Minutes of Parks and Recreation Commission Meeting of February 11, 2009
- Study Session Summary - Overview of Proposed 124 Unit Senior Housing Project at 660 S. Fair Oaks Avenue of February 24, 2009

ADJOURNMENT

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

DATE	MEETING	TIME	PLACE
March 3, 2009	Council Meeting	7 p.m.	Council Chambers
March 10, 2009	Council Meeting	7 p.m.	Council Chambers
March 17, 2009	NO COUNCIL MEETING SCHEDULED		
March 24, 2009	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

March 2, 2009	Board of Library Trustees	7 p.m.	Council Chambers
March 4, 2009	Heritage Preservation Commission	7 p.m.	West Conf. Room
March 9, 2009	Planning Commission Study Session	7 p.m.	West Conf. Room
March 9, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
March 11, 2009	Administrative Hearing	2 p.m.	West Conf. Room
March 11, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
March 16, 2009	Personnel Board	5 p.m.	Council Chambers
March 18, 2009	Arts Commission	7 p.m.	Council Chambers
March 19, 2009	Bicycle Advisory and Commission Meeting	6:30 p.m.	West Conf. Room
March 23, 2009	Planning Commission Study Session	7 p.m.	West Conf. Room
March 23, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
March 25, 2009	Administrative Hearing	2 p.m.	West Conf. Room
March 25, 2009	NOVA Workforce Board Meeting	Noon	NOVA Board Room
March 25, 2009	Housing and Human Services Commission	7 p.m.	West Conf. Room
April 6, 2009	Board of Library Trustees	7 p.m.	Council Chambers
April 8, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
April 15, 2009	Arts Commission	7 p.m.	Council Chambers
May 20, 2009	Joint Parks and Recreation Commission and Arts Commission Study Session	6 p.m.	West Conf. Room
May 20, 2009	Joint Parks and Recreation Commission and Arts Commission Meeting	7 p.m.	Council Chambers

CHANNEL 15 – KSUN

March 1, 2009	City Council Meeting - Replay of February 24, 2009	4 p.m.
March 3, 2009	City Council Meeting - Live	7 p.m.
March 4, 2009	City Council Meeting - Replay of March 3, 2009	7 p.m.
March 8, 2009	City Council Meeting - Replay of March 3, 2009	4 p.m.
March 10, 2009	City Council Meeting - Live	7 p.m.
March 11, 2009	City Council Meeting - Replay of March 10, 2009	7 p.m.
March 15, 2009	City Council Meeting - Replay of March 10, 2009	4 p.m.
March 24, 2009	City Council Meeting - Live	7 p.m.
March 25, 2009	City Council Meeting - Replay of March 24, 2009	7 p.m.
March 29, 2009	City Council Meeting - Replay of March 24, 2009	4 p.m.