

NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL
TUESDAY, MAY 5, 2009
COUNCIL CHAMBERS, 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA

5 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.*
 - **Performance Evaluation for City Attorney (informal mid-year review)**
Staff Contact: Erwin Young, (408) 730-7495
4. 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.*
 - **Performance Evaluation for City Manager (informal mid-year review)**
Staff Contact: Erwin Young, (408) 730-7495
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.

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.

CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL

SPECIAL ORDER OF THE DAY – Proclamation Recognizing National Public Works Week

CLOSED SESSION REPORT FOR MAY 5, 2009

Performance Evaluation for City Attorney (informal mid-year review)

CLOSED SESSION REPORT FOR MAY 5, 2009

Performance Evaluation for City Manager (informal mid-year review)

PUBLIC ANNOUNCEMENTS

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

PRESENTATION: Santa Clara County Fairgrounds – Larry Klamecki, Interim Director of Asset and Economic Development

PRESENTATION: Pacific Gas and Electric - Recognizing the City's Virtualization Project

CONSENT CALENDAR

- 1.A. MOTION Approval of Council Meeting Minutes of March 24, 2009
- 1.B. MOTION Approval of Council Meeting Minutes of April 21, 2009
- 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 09-111 No. 451

Staff Recommendation: Council reviews the attached lists of bills.

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

- 1.E. MOTION City of Sunnyvale Investment Report – 1st Quarter 2009
RTC 09-107

Staff Recommendation: City Council receives and files the investment report.

Staff Contact: Therese Balbo, (408) 730-7604

- 1.F. RESOLUTION Adopt a Resolution to Authorize the Filing of the Fiscal Year 2009/10
MOTION Transportation Development Act Article 3 Application for Pedestrian and
RTC 09-110 Bicycle Projects

Staff Recommendation: Staff and the Bicycle and Pedestrian Advisory Commission recommend Alternative No.1 – Council adopts the attached resolution authorizing the filing of a project application with the VTA and MTC for allocation of Transportation Development Act funds for FY 2009/10 for pedestrian/bicycle projects.

Staff Contact: Jack Witthaus, (408) 730-7330

Contracts

- 1.G. MOTION Award of Contract for the Cooperative Purchase of Office Supplies
RTC 09-112 (F0804-67)

Staff Recommendation: Council awards a one-year contract, in substantially the same form as the attached draft, not-to-exceed the budgeted amount for citywide office supplies, to OfficeMax for the purchase of office supplies, based upon the Oakland County, Michigan, cooperative contract and delegates authority to the City Manager to exercise an option to extend the contract for an additional one-year period, provided that pricing and service remain acceptable to the City.

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

- 1.H. MOTION Award of Contract for a Multi-department Operational Efficiency and
RTC 09-113 Optimum Staffing Study and Approval of Budget Modification No. 34

Staff Recommendation: Council awards a contract to Matrix Consulting Group, in substantially the same form as the attached draft and in an amount not to exceed \$149,000 to conduct an operational efficiency and optimum staffing study of the Departments of Community Development, Community Services, Human Resources, Information Technology, Libraries, Office of the City Attorney and the Office of the City Manager and Council approves Budget Modification No. 34 appropriating \$32,900 from FY 2009/10 Into Project 827390.

Staff Contact: Coryn Campbell, 408 730-7475

Other

- 1.I. MOTION Authorization for NOVA to Award Subcontracts for Summer Youth
RTC 09-108 Employment Program Totaling \$211,519

Staff Recommendation: Council, on behalf of the NOVA seven-city consortium and in concurrence with the NOVA Workforce Board, adopts Alternative No.1 - Council authorizes the award of subcontracts totaling \$211,519 to the ten organizations identified in this report for the purpose of providing youth with education and training services in summer 2009.

Staff Contact: Kris Stadelman, (408) 730-7233

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 Request for Continuation of Consideration of Approval of Substantial
RTC 09-115 Amendment to FY 2008/09 Action Plan

Staff Recommendation: Council continues this public hearing and this item to the May 12, 2009 Council meeting due to HUD's delay in notifying the City of the status and amount of its 2009 entitlement grants.

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

3. MOTION Request for Continuation of Consideration of Approval of FY 2009/10
RTC 09-116 Action Plan: Recommendation for Use of Community Development Block
Grant (CDBG) and HOME Funds

Staff Recommendation: Council continues this public hearing and this item to the May 12, 2009 Council meeting due to HUD's delay in notifying the City of the status and amount of its 2009 entitlement grants.

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

4. ORDINANCE Ordinance Amending Chapter 12.04 (Sewerage System); Chapter 12.12
MOTION (Sewer Use Regulations); and Chapter 12.18 (Enforcement) of Title 12
RTC 09-099 (Water and Sewers) of the Sunnyvale Municipal Code Relating to
Regulations of the Publicly Owned Treatment Works

Staff Recommendation: Alternative No. 1: Council adopts the proposed ordinance amending Title 12. Chapters 12.04, 12.12, 12.18 of the Sunnyvale Municipal Code to incorporate the required, and some optional provisions, in accordance with revisions to 40 CFR Part 403.

Staff Contact: Sarah Scheidt, (408) 730-7267

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar

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
May 04, 2009	Special Council Mtg – Board & Comm. Interviews	6 p.m.	West Conf. Room
May 05, 2009	Council Meeting	7 p.m.	Council Chambers
May 12, 2009	Council Meeting	7 p.m.	Council Chambers
May 19, 2009	NO COUNCIL MEETING SCHEDULED		
May 21, 2009	Special Council Meeting – Budget Workshop	8:30 a.m.	Council Chambers
May 26, 2009	NO COUNCIL MEETING SCHEDULED		
June 02, 2009	Council Meeting	7 p.m.	Council Chambers
June 09, 2009	Council Meeting	7 p.m.	Council Chambers
June 23, 2009	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

May 04, 2009	Board of Library Trustees	7 p.m.	Council Chambers
May 06, 2009	Heritage Preservation Commission	7 p.m.	West Conf. Room
May 11, 2009	Planning Commission Study Session	7 p.m.	West Conf. Room
May 11, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
May 13, 2009	Administrative Hearing	2 p.m.	West Conf. Room
May 18, 2009	Personnel Board	5 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	7 p.m.	Council Chambers
May 21, 2009	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conf. Room
May 27, 2009	Administrative Hearing	2 p.m.	West Conf. Room
May 27, 2009	Housing and Human Services Commission	7 p.m.	West Conf. Room
May 27, 2009	NOVA Workforce Board Meeting	Noon	NOVA Board Room
June 1, 2009	Board of Library Trustees	7 p.m.	Council Chambers
June 10, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
June 17, 2009	Arts Commission	7 p.m.	Council Chambers
July 08, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
July 15, 2009	Arts Commission	7 p.m.	Council Chambers

CHANNEL 15 – KSUN

For a complete schedule of KSUN-15 broadcasts, visit KSUN.inSunnyvale.com

May 03, 2009	City Council Meeting - Replay of April 28, 2009	4 p.m.
May 05, 2009	City Council Meeting - Live	7 p.m.
May 06, 2009	City Council Meeting - Replay of May 05, 2009	7 p.m.
May 10, 2009	City Council Meeting - Replay of May 05, 2009	4 p.m.
May 12, 2009	City Council Meeting - Live	7 p.m.
May 13, 2009	City Council Meeting - Replay of May 12, 2009	7 p.m.
May 17, 2009	City Council Meeting - Replay of May 12, 2009	4 p.m.
May 21, 2009	Budget Workshop - Live	8:30 a.m.
May 22, 2009	Budget Workshop - Replay of May 21, 2009	8:30 a.m.
May 24, 2009	Budget Workshop - Replay of May 21, 2009	8:30 a.m.
June 02, 2009	City Council Meeting - Live	7 p.m.
June 03, 2009	City Council Meeting - Replay of June 02, 2009	7 p.m.
June 07, 2009	City Council Meeting - Replay of June 02, 2009	4 p.m.
June 09, 2009	City Council Meeting - Live	7 p.m.
June 10, 2009	City Council Meeting - Replay of June 09, 2009	7 p.m.
June 14, 2009	City Council Meeting - Replay of June 09, 2009	4 p.m.
June 23, 2009	City Council Meeting - Live	7 p.m.
June 24, 2009	City Council Meeting - Replay of June 23, 2009	7 p.m.
June 28, 2009	City Council Meeting - Replay of June 23, 2009	4 p.m.

