

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, OCTOBER 20, 2009
COUNCIL CHAMBERS and WEST CONFERENCE ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

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 - Call to order in the Council Chambers

SALUTE TO THE FLAG

ROLL CALL

SPECIAL ORDER OF THE DAY

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

CONSENT CALENDAR

- 1.A. MOTION Approval of Council Meeting Minutes of September 29, 2009
- 1.B. MOTION Approval of Council Meeting Minutes of October 6, 2009
- 1.C. MOTION Approval of Information/Action Items – Council Directions to Staff

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 Chamber on the evening of the Council Meeting, pursuant to Government Code §54957.5.

Fiscal Items

- 1.D. MOTION List of Claims and Bills Approved for Payment by the City Manager – List
RTC 09-265 Nos. 474 & 475

Staff Recommendation: Review the attached lists of bills.
Staff Contact: Pete Gonda, (408) 730-7418

- 1.E. MOTION City of Sunnyvale Investment Report – 3rd Quarter 2009
RTC 09-264

Staff Recommendation: Receive and file the investment report.
Staff Contact: Therese Balbo, (408) 730-7604

- 1.F. MOTION Approval of Budget Modification No. 12 to Appropriate the \$15,000
RTC 09-267 Severns Family Foundation Grant for CPR Training in High Schools

Staff Recommendation: Alternative 1: Approve Budget Modification No. 12 to appropriate Severns Family Foundation Grant monies to teach CPR in the high schools.
Staff Contact: Lt. Jeff Hunter, (408) 730-7157

- 1.G. MOTION Reject Proposal Received in Response to Request for Proposals F0805-71
RTC 09-268 to Provide Continuing Technical Support for Maximo Computer
Maintenance Management System Version 4.1.1

Staff Recommendation: Reject the proposal received in response to RFP F0805-71.
Staff Contact: Pete Gonda, (408) 730-7418

Contracts: SunnyvaleWorks!

- 1.H. MOTION Modify an Existing Contract for Design and Construction Support Services
RTC 09-269 for the Mathilda Avenue Overhead Bridge Rehabilitation Project (F0910-
34)

Staff Recommendation: Modify the existing contract with Mark Thomas and Co. and increase the total not-to-exceed amount by \$161,445, from \$2,511,825 to \$2,673,270.
Staff Contact: Pete Gonda, (408) 730-7418

**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 HEARING/GENERAL BUSINESS

If you wish to speak to a public hearing/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 2009-0691 Revocation of Use Permit #5714 Allowing Live Entertainment
RTC 09-261 and General Sale of Alcoholic Beverages at 146 S. Murphy Avenue

Staff Recommendation: Alternative 1: Revoke Use Permit #5714 eliminating any uses authorized by that permit which include on-sale general liquor and entertainment at the subject property based on the findings in Exhibit A.

Staff Contact: Shaunn Mendrin, (408) 730-7429

3. MOTION 2009-0071 Determine Appropriate Review Standards for Alternative
ORDINANCE Energy Sources (Study Issue)
RTC 09-262

Staff Recommendation: Introduce an ordinance to establish development standards and permitting requirements for small wind energy systems and to prohibit biodiesel production in residential zones; use existing codes to review proposed installations of fuel cells and geothermal heating/cooling systems; and, direct staff to monitor changes in alternative energy technology and return to Council to consider possible amendments to the City's regulations if significant changes suggest that modifications are desirable.

Staff Contact: Rosemarie Zulueta, (408) 730-7437

4. MOTION General Plan Consolidation
RTC 09-270

Staff Recommendation: Authorize the consolidation of the General Plan into a single document with assistance from an advisory committee consisting of representatives from Boards/Commissions and City Council.

Staff Contact: Trudi Ryan, (408) 730-7435

5. MOTION Approve Qualification Criteria and Reprioritization of Underground Utility
RTC 09-260 Projects – Study Issue

Staff Recommendation: Alternatives 1 and 2: Approve the revised Utility Undergrounding (UUD) Rule 20A Project Qualification and Ranking Criteria and the revised UUD Rule 20A Priority List.

Staff Contact: Mark Rogge (408) 730-7415

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Joint Study Session Summary of October 6, 2009 - City Council and Planning Commission, Consolidation of the General Plan
- Draft Minutes of the Board of Library Trustees Meeting of October 5, 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 agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by the Council. 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 Chamber, the publication "*How to Make Your Council Chamber Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chamber 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
Oct. 20, 2009	Council Meeting	7 p.m.	Council Chambers
Oct. 27, 2009	Council Meeting	7 p.m.	Council Chambers
Nov. 17, 2009	Council Meeting	7 p.m.	Council Chambers
Nov. 24, 2009	Council Meeting	7 p.m.	Council Chambers
Dec. 1, 2009	Council Meeting	7 p.m.	Council Chambers
Dec. 8, 2009	Council Meeting	7 p.m.	Council Chambers
Dec. 15, 2009	Council Meeting	7 p.m.	Council Chambers
Jan. 5, 2009	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

Oct. 19, 2009	Personnel Board	5 p.m.	Council Chambers
Oct. 21, 2009	Arts Commission	7 p.m.	Council Chambers
Oct. 26, 2009	Planning Commission Study Session	7 p.m.	West Conference Rm
Oct. 26, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
Oct. 28, 2009	Administrative Hearing	2 p.m.	West Conference Rm
Oct. 28, 2009	Housing and Human Services Commission	7 p.m.	West Conference Rm
Nov. 2, 2009	Board of Library Trustees	7 p.m.	Library Program Rm A
Nov. 4, 2009	Heritage Preservation Commission	7 p.m.	West Conference Rm
Nov. 9, 2009	Planning Commission Study Session	7 p.m.	West Conference Rm
Nov. 9, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
Nov. 11, 2009	Administrative Hearing	2 p.m.	West Conference Rm
Nov. 11, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
Nov. 16, 2009	Personnel Board	5 p.m.	Council Chambers
Nov. 18, 2009	Arts Commission	7 p.m.	Council Chambers
Nov. 18, 2009	Housing and Human Services Commission	7 p.m.	West Conference Rm.
Nov. 23, 2009	Planning Commission Study Session	7 p.m.	West Conference Rm.
Nov. 23, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
Nov. 25, 2009	Administrative Hearing	2 p.m.	West Conference Rm.
Dec. 9, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
Dec.16, 2009	Arts Commission	7 p.m.	Council Chambers

CHANNEL 15 – KSUN

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

Oct. 20, 2009	City Council Meeting – Live	7 p.m.
Oct. 21, 2009	City Council Meeting – Replay of Oct 20, 2009	7 p.m.
Oct. 25, 2009	City Council Meeting – Replay of Oct. 20, 2009	4 p.m.
Oct. 27, 2009	City Council Meeting – Live	7 p.m.
Oct. 28, 2009	City Council Meeting – Replay of Oct. 27, 2009	7 p.m.
Nov. 1, 2009	City Council Meeting – Replay of Oct. 27, 2009	4 p.m.
Nov. 17, 2009	City Council Meeting – Live	7 p.m.
Nov. 18, 2009	City Council Meeting – Replay of Nov. 17, 2009	7 p.m.
Nov. 22, 2009	City Council Meeting – Replay of Nov. 17, 2009	4 p.m.