

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, OCTOBER 27, 2009
COUNCIL CHAMBERS and WEST CONFERENCE ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

TELECONFERENCE NOTICE

Pursuant to Government Code Section 54953, Subdivision (b), the following Council meeting will include teleconference participation by Councilmember David Whittum from:

**Washington Marriott Wardman Park
2660 Woodley Road NW**

Washington, District of Columbia 20008 USA

This Notice and Agenda will be posted at the teleconference location. Public comment from this address shall be allowed pursuant to Government Code Section 54954.3.

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 – Recognition of David Mills, Participant in NOVA's 2009 ARRA-Funded Summer Youth Employment Program

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 Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.B. MOTION List of Claims and Bills Approved for Payment by the City Manager – List
RTC 09-274 No. 476

Staff Recommendation: Review the attached lists of bills.

Staff Contact: Pete Gonda, (408) 730-7418

- 1.C. MOTION Reallocation of Federal Economic Stimulus Surface Transportation
RESOLUTION Program Funds for Local Streets and Roads Rehabilitation Projects –
RTC 09-273 Resolution of Support, Cooperative Agreement with the City of Cupertino,
and Approval of Budget Modification No. 10

Staff Recommendation: Approve the Resolution of Support for Federal Surface Transportation Program Funds for Local Streets and Roads Rehabilitation Projects; Authorize the City Manager to execute the Cooperative Agreement with the City of Cupertino for repairs to Homestead Road; and Approve Budget Modification No. 10 to re-appropriate funds from the Wolfe Road Caltrain Overcrossing Project to the Homestead Road Asphalt Overlay Project and the Sunnyvale Avenue Asphalt Overlay Project.

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

- 1.D. MOTION Authorization to Participate in the Proposition 1A Securitization Program
RESOLUTION
RTC 09-276

Staff Recommendation: Approve participation in the Proposition 1A Securitization Program to mitigate any associated effects of delaying \$3,992,151 in property tax receivables and adopt all resolutions and agreements needed to participate.

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

Contracts: SunnyvaleWorks!

- 1.E. MOTION Award of Sunnyvale Works! Contract for Construction Management
RTC 09-279 Services for the Mathilda Avenue Overhead Bridge Rehabilitation Project
(F0808-08)

Staff Recommendation: Award a contract in an amount not to exceed \$2,819,425 to HNTB Corporation for construction management services for the Mathilda Avenue Overhead Bridge Rehabilitation project.

Staff Contact: Pete Gonda, (408) 730-7418

4. ORDINANCE 2009-0469 - Updates to the Sunnyvale Municipal Code for Minor
MOTION Corrections and Work Changes Associated Primarily with Title 19
RTC 09-266 (Zoning)

Staff Recommendation: Introduce an ordinance to amend the Municipal Code to make minor corrections and word changes in Title 19 (Zoning) and Title 10 (Vehicles and Traffic).
Staff Contact: Diana O'Dell, (408) 730-7257

5. ORDINANCE 2009-0666 - Updates to the Sunnyvale Municipal Code Title 19 (Zoning) to
MOTION Streamline Processes
RTC 09-263

Staff Recommendation: Introduce an ordinance to amend the Title 19 (Zoning), including: simplify and streamline permit review, make regulations more clear and less open to discretion and eliminate planning permits on non-controversial uses.
Staff Contact: Diana O'Dell, (408) 730-7257

6. ORDINANCE 2007-0764: Zoning Code Amendments for Accessory Structures
MOTION
RTC 09-275

Staff Recommendation: Introduce an ordinance to amend Title 19 (Zoning) modifying the height, setback, size, location, and permitting requirements for accessory structures including utility buildings (sheds), open garden features, open outdoor equipment, detached parking and detached habitable space.
Staff Contact: Diana O'Dell, (408) 730-7257

7. ORDINANCE 2007-0764: Zoning Code Amendments: 2007-0764 Single-Family Home
MOTION Development Standards
RTC 09-277

Staff Recommendation:

1. Introduce an ordinance to amend Title 19 (Zoning) to implement changes to the single-family home development standards regarding vaulted ceilings, design review applicability, threshold for Planning Commission review and increased notification;
 2. Introduce an ordinance to amend Title 19 (Zoning) for proportional sideyard setbacks;
 3. Adopt the modifications to the Single Family Home Design Technique.
- Staff Contact: Diana O'Dell, (408) 730-7257

8. COUNCIL Intergovernmental Committee Assignments: Santa Clara County Housing
DISCUSSION Bond Committee Appointments

Recommendation: Consider appointments to the Santa Clara County Housing Bond Committee.
Contact: Councilmember John Howe, (408) 730-7473

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of September 17, 2009
- RTC 09-278 Opportunity for Council to appeal decisions of the Planning Commission of October 12, 2009 and the Administrative Hearing of October 14, 2009
- Draft Minutes of the Housing and Human Services Commission Meeting of September 23, 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. 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. 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. 19, 2009	Bicycle and Pedestrian Advisory Commission	6:30 pm	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
Jan. 13, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
Jan. 20, 2010	Arts Commission	7 p.m.	Council Chambers
Feb. 10, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
Feb. 17, 2010	Arts Commission	7 p.m.	Council Chambers

CHANNEL 15 – KSUN

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

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.