

## NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL  
TUESDAY, APRIL 27, 2010  
COUNCIL CHAMBERS and WEST CONFERENCE ROOM  
CITY HALL - 456 W. OLIVE AVE.  
SUNNYVALE, CALIFORNIA**

**5:45 P.M. SPECIAL COUNCIL MEETING (Closed Sessions)**

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.*
  - a. Closed Session pursuant to Government Code Section 54956.9(a)  
Conference with Legal Counsel – Existing Litigation  
Name of case: Jackson vs. City of Sunnyvale, Santa Clara County Superior Court Case No. 109-CV-137702
  - b. Closed Session pursuant to Government Code Section 54956.8  
Conference with Real Property Negotiator  
Property: Sunnyvale Town Center Project  
Negotiating Parties: Sunnyvale Redevelopment Agency (Agency Director Gary Luebbers);  
Receiver For Wachovia and Wells Fargo Bank.  
Under Negotiation: Terms for Completion of Foreclosure Proceedings
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** - Call to order in the Council Chambers

**SALUTE TO THE FLAG**

*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.*

**ROLL CALL**

**CLOSED SESSION REPORTS FOR APRIL 27, 2010**

*Closed Session pursuant to Government Code Section 54956.9(a) - Conference with Legal Counsel*

*Closed Session pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator*

**SPECIAL ORDER OF THE DAY** – Recognition of Santa Clara Women's Basketball Team

**SPECIAL ORDER OF THE DAY** – National Volunteer Week

**PUBLIC ANNOUNCEMENTS**

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

**PRESENTATION** – City Web Site

**CONSENT CALENDAR**

- 1.A. MOTION Approval of Council Meeting Minutes of April 6, 2010
- 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 10-101 Nos. 499, 500, 501

Staff Recommendation: Review the attached lists of bills.

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

- 1.D. MOTION Hamilton Water Plant, Project 825411, Budget Modification No. 29.  
RTC 10-105

Staff Recommendation: Approve Budget Modification No. 29 in the amount of \$60,000 from the Water fund to Project 825411, and to increase the construction contingency by \$60,000 for the contract with Anderson Pacific Engineering Construction.

Staff Contact: Mark Rogge, (408)730-7415

**Personnel**

- 1.E. RESOLUTION Adopt a Resolution to Include a Pre-tax Repayment Option for Employee  
RTC 10-088 Service Credit Purchases through the California Public Employees' Retirement System (CalPERS)

Staff Recommendation: Adopt the resolution with CalPERS to offer employee service credit purchases on a pre-tax basis.

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

- 1.F. MOTION Approval of Contract for Third Party Workers' Compensation  
RTC 10-093 Administration Services

Staff Recommendation: Authorize a one-year extension of the contract with York Insurance Services Group, Inc. - California at no increase in cost.  
Staff Contact: Anthony Giles, (408) 730-7503

**Contracts**

- 1.G. MOTION Award of Contract for Receiving Water Ammonia Characterization and  
RTC 10-107 Associated Laboratory Services (F0902-79)

Staff Recommendation: Award a contract in the amount of \$139,456, including applicable taxes, to Pacific EcoRisk, for receiving water ammonia characterization and associated laboratory services; and authorize the city manager to extend the contract for two additional years, provided services and pricing are acceptable to the City.  
Staff Contact: Pete Gonda, (408) 730-7418

- 1.H. MOTION Approval to Award Contracts to Provide Recreational Classes and  
RTC 10-109 Camps (F0904-89)

Staff Recommendation: Award contracts to Kidz Love Soccer and Fun Tyme Sports Academy for a two year period and Skyhawks Sports Academy for a one year period, to provide recreational classes and camps; and authorize the city manager to extend the contracts for one additional one year period, provided services and pricing are acceptable to the City.  
Staff Contact: Pete Gonda, (408) 730-7418

- 1.I. MOTION Reject Proposal Received In Response to Request for Proposals F0910-  
RTC 10-113 35 to Design and Install a Live Content Video Production System (F0910-35)

Staff Recommendation: Reject the proposal received in response to Request for Proposals F0910-35.  
Staff Contact: Pete Gonda, (408) 730-7418

**Contracts: Sunnyvale Works!**

- 1.J. MOTION Award a Sunnyvale Works! Contract for Design and Construction  
RTC 10-115 Support Services for Citywide Sanitary Sewer Main Replacements 2010  
(F0904-93)

Staff Recommendation: Award a contract to West Yost Associates in an amount not to exceed \$134,761, for design and construction support services for the Citywide Sanitary Sewer Main Replacements 2010; and approve a project contingency in the amount of \$13,476.  
Staff Contact: Pete Gonda, (408) 730-7418

- 1.K. MOTION Award a Sunnyvale Works! Contract for the Design and Construction  
RTC 10-114 Support Services for Citywide Sanitary Sewer Main Replacements 2011  
(F0904-92)

Staff Recommendation: Award a contract to Wreco in an amount not to exceed \$169,805, for design and construction support services (including optional CCTV video) for the Citywide Sanitary Sewer Main Replacements 2011; and approve a project contingency in the amount of \$16,980.

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

- 1.L. MOTION Award of Sunnyvale Works! Contract to Provide Traffic Engineering  
RTC 10-108 Services for the Mary Avenue Street Space Allocation Study (F0904-87)

Staff Recommendation: Award a contract to TJKM Traffic Consultants in an amount not to exceed \$139,880 to provide Traffic Engineering Services for the Mary Avenue Street Allocation Study; and approve a project contingency in the amount of \$13,988.

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

### Other Items

- 1.M. MOTION Consideration of Bordeaux Drive Street Space Allocation Study  
RTC 10-111

Recommendation: Staff and the Bicycle and Pedestrian Advisory Commission recommends Council direct staff to allocate street space on Bordeaux Drive between Moffett Park Drive and Java Drive in order to provide one travel lane in each direction, center two way left turn lane, bike lanes, no on-street parking.

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

### 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                    2009-0874: Appeal by the applicant and an adjacent neighbor of a  
RTC 10-099                    decision by the Planning Commission approving a Design Review to  
allow a 1,314 square foot addition to an existing 2,018 square foot home  
totaling 3,332 square feet with 54% Floor Area Ratio for a Site Located at  
1560 Grackle Way

Staff Recommendation: Deny the appeals and approve the Design Review with the  
conditions imposed by the Planning Commission.

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

3. MOTION                    Consent to Consider a Santa Clara Valley Water District Plan to Provide  
RTC 10-103                    Flood Detention at Braly School/Park

Staff Recommendation: Consent to the concept of providing a storm-water detention area at  
Braly Park subject to the staff comments.

Staff Contact: Mark Rogge, (408) 730-7415

4. ORDINANCE                2009-0710: Water-Efficient Landscape Ordinance  
RTC 10-104

Staff Recommendation: Introduce an ordinance establishing new requirements for water-  
efficient landscapes.

City Clerk reads the ordinance.

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

5. MOTION                    2009-0454: Work Plan for Lawrence Station Area Plan 2010-2011 (Study  
RTC 10-098                    Issue)

Staff Recommendation: Approve Work Plan for Lawrence Station Area Plan.

Staff Contact: Surachita Bose, (408) 730-7443

6. COUNCIL                    Consider Revisions to Council Policy 7.3.10 Regarding Selection of  
DISCUSSION                Mayor and Vice Mayor (Continued from April 6, 2010)

Recommendation: Consider revisions to Council Policy 7.3.10 regarding Selection of Mayor  
and Vice Mayor.

Contact: Mayor Hamilton/Vice Mayor Moylan, (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 Board of Library Trustees Meeting of April 5, 2010
- Draft Minutes of the Housing and Human Services Commission Meeting of March 24, 2010
- RTC 10-110 Status Report Evaluating Human Relations and Cultural Diversity Advisory Committee (Information only)

- RTC 10-112 Opportunity for Council to Appeal Decisions of the Planning Commission of April 12, 2010 and the Administrative Hearing of April 14, 2010

## **ADJOURNMENT**

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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 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**

<b>DATE</b>	<b>MEETING</b>	<b>TIME</b>	<b>PLACE</b>
May 4, 2010	Special Council Meeting – B/C Interviews	6 p.m.	West Conference Rm
May 11, 2010	Council Meeting	7 p.m.	Council Chambers
May 20, 2010	Special Council Meeting – Budget Workshop	8:30 a.m.	Council Chambers
May 25, 2010	Council Meeting	7 p.m.	Council Chambers

**OTHER SCHEDULED MEETINGS**

April 26, 2010	Planning Commission Study Session	7 p.m.	West Conference Rm
April 26, 2010	Planning Commission Public Hearing	8 p.m.	Council Chambers
April 28, 2010	Administrative Hearing	2 p.m.	West Conference Rm
April 28, 2010	Housing & Human Services Commission	7 p.m.	West Conference Rm
May 5, 2010	Heritage Preservation Commission	7 p.m.	West Conference Rm
May 10, 2010	Planning Commission Study Session	7 p.m.	West Conference Rm
May 10, 2010	Planning Commission Public Hearing	8 p.m.	Council Chamber
May 12, 2010	Administrative Hearing	2 p.m.	West Conference Rm
May 12, 2010	Joint Arts and Parks and Recreation Commissions Study Session	6 p.m.	West Conference Rm
May 12, 2010	Joint Arts and Parks and Recreation Commissions	7 p.m.	Council Chambers
May 17, 2010	Board of Library Trustees	7 p.m.	Library Staff Conf Rm
May 19, 2010	Arts Commission	7 p.m.	Council Chambers
May 20, 2010	Bicycle and Pedestrian Advisory Comm.	6:30 p.m.	West Conference Rm
May 24, 2010	Planning Commission Study Session	7 p.m.	West Conference Rm
May 24, 2010	Planning Commission Public Hearing	8 p.m.	Council Chamber
May 26, 2010	Administrative Hearing	2 p.m.	West Conference Rm
May 26, 2010	Housing & Human Services Commission	7 p.m.	West Conference Rm
June 9, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
June 16, 2010	Arts Commission	7 p.m.	Council Chambers
July 14, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
July 21, 2010	Arts Commission	7 p.m.	Council Chambers
April 21, 2010	Arts Commission	7 p.m.	Council Chambers
April 26, 2010	Planning Commission Study Session	7 p.m.	West Conference Rm
April 26, 2010	Planning Commission Public Hearing	8 p.m.	Council Chambers
April 28, 2010	Administrative Hearing	2 p.m.	West Conference Rm
April 28, 2010	Housing & Human Services Commission	7 p.m.	West Conference Rm

**CHANNEL 15 – KSUN**

For a complete schedule of KSUN-15 broadcasts, visit [KSUN.inSunnyvale.com](http://KSUN.inSunnyvale.com)

April 27, 2010	City Council Meeting – Live	7 p.m.
April 28, 2010	City Council Meeting – Replay of April 27, 2010	7 p.m.
May 2, 2010	City Council Meeting – Replay of April 27, 2010	4 p.m.
May 11, 2010	City Council Meeting – Live	7 p.m.
May 12, 2010	City Council Meeting – Replay of May 11, 2010	7 p.m.
May 16, 2010	City Council Meeting – Replay of May 11, 2010	4 p.m.