

## NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL  
TUESDAY, JULY 20, 2010  
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 Ron Swegles from:*

*8865 Lagoon Drive  
Brighton, MI 48116-8226*

*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.*

### **6:30 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.*
  - a. Conference with Legal Counsel - Initiation of litigation pursuant to subdivision(c) of Section 54956.9: one potential case.
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**

**ROLL CALL**

*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.*

**CLOSED SESSION REPORT FOR JULY 20, 2010**

*Closed Session pursuant to Government Code Section 54956.9(c) – Conference with Legal Counsel*

**PUBLIC ANNOUNCEMENTS**

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

**PRESENTATION** – Santa Clara County 2-1-1 Program (10 minutes)

**CONSENT CALENDAR**

- 1.A. MOTION Approval of Council Meeting Minutes of June 29, 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 10-185 No. 511, 512 and 513

Staff Recommendation: Review the attached lists of bills.

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

- 1.D. RESOLUTION Federal Transportation Funding – Approval of Resolution of Support and  
RTC 10-188 Budget Modification No. 1

Staff Recommendation: Alternative 1: Approve the Resolution of Support committing to complete the projects and stating the City's understanding of the funding process, and approve Budget Modification No. 1 to appropriate grant revenues in the amount of \$2,715,000 million from the VTA to the new Hendy Avenue Complete Street project and the Sunnyvale Avenue/Old San Francisco Road Left Turn project, as well as appropriate the total required local match of \$785,000 consisting of (1) \$267,000 from the Wastewater Fund and (2) \$518,000 from dedicated local transportation grant matching funds.

Staff Contact: Jack Witthaus (408) 730-7330

- 1.E. MOTION Purchase of 715 San Conrado Terrace, #6  
RTC 10-192

Staff Recommendation: Alternative 1: Approve the purchase of 715 San Conrado Terrace #6, and authorize the city manager to accept the Deed in lieu of Foreclosure.

Staff Contact: Mike Chan, (408) 730-7416

**Contracts**

- 1.F. MOTION Award of Contract for One Regenerative Air Street Sweeper (F0905-105)  
RTC 10-191

Staff Recommendation: Award a contract for one regenerative air street sweeper in the amount of \$169,064, to GSC Environmental.

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

### Other Items

- 1.G. ORDINANCE Adoption of Ordinance No. 2922-10 Awarding Nonexclusive Franchise to  
2922-10 Amritpal Singh, Doing Business as A-1 American Cab Company

Staff Recommendation: Approve second reading of Ordinance No. 2922-10.

Staff Contact: David Kahn, City Attorney (408) 730-7464

- 1.H. RESOLUTION Adoption of a Resolution to Approve the Annual Engineer's Report for the  
RTC 10-186 Downtown Parking Maintenance District Assessment

Staff Recommendation: Alternative 1: Adopt the resolution to approve the annual Engineer's Report for FY 2010-11 and forward the assessment to the County of Santa Clara for inclusion on the property tax rolls.

Staff Contact: Mark Rogge, (408) 730-7426

### 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 Proposed Charter Amendment for Directly-Elected Mayor for the November  
RTC 10-183 2011 Election

Staff Recommendation: If Council elects to proceed with the Charter amendment it consider placing it on the November 2011 ballot.

Staff Contact: David Kahn, City Attorney (408) 730-7464

3. MOTION Process for Appointing Interim Councilmembers (Study Issue)  
RTC 10-090

Staff Recommendation: Staff considers it important that Council choose a process with which to appoint interim Councilmembers in the future, and that the process be memorialized as a formal Council policy. Several viable options are offered for Council's consideration.

Staff Contact: Robert Walker, (408) 730-7458

4. MOTION            2010-7095 - Anthem Telecom, LLC [Applicant] Lockheed Missiles And  
RTC 10-184           Space Co. Inc. [Owner]: Application for 414-acre site located at 1111  
Lockheed Martin Way (near N. Mathilda Ave.) in an MP-I Zoning District  
(APN: 110-01-025). Special Development Permit to allow a 112-foot tall  
wireless telecommunications monopine on the Lockheed Martin campus  
including antennas for up to six carriers and associated ground equipment  
within a new enclosure.

Staff Recommendation: Adopt the Negative Declaration and approve the Special  
Development Permit with the Conditions of Approval.

Staff Contact: Mariya Hodge, (408) 730-7659

5. MOTION            Investment Advisory Agreement with PFM Asset Management LLC to  
RTC 10-187           Serve as Investment Manager for the City's Retiree Medical Trust

Staff Recommendation: Alternative 1: to authorize the City Manager to approve the  
attached Investment Advisory Agreement with PFM Asset Management LLC and take all  
necessary steps to establish and administer the City's retiree medical trust.

Staff Contact: Grace Leung, (408) 730-2711

6. ORDINANCE       Ordinance to Amend Sunnyvale Municipal Code Chapter 1.05 to Authorize  
RTC 10-190           the Placement of Unpaid Administrative Citations on the County of Santa  
Clara Property Tax Roll

Staff Recommendation: Alternative 1: Adopt an ordinance to amend Sunnyvale Municipal  
Code Chapter 1.05 to Authorize the Placement of Unpaid Administrative Citations on the  
County of Santa Clara Property Tax Roll.

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

#### **COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

#### **NON-AGENDA ITEMS & COMMENTS**

- Council
- Staff

#### **INFORMATION ONLY REPORTS/ITEMS**

- Tentative Council Meeting Agenda Calendar
- RTC 10-193 Boards and Commissions Semi-Annual Attendance Report, Reporting Period:  
July 2009 - June 2010 (Information Only)
- Draft Minutes of the Arts Commission Meeting of June 16, 2010

#### **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**

<b>DATE</b>	<b>MEETING</b>	<b>TIME</b>	<b>PLACE</b>
July 20, 2010	Council Meeting	7 p.m.	Council Chambers
July 27, 2010	Council Meeting	7 p.m.	Council Chambers

**OTHER SCHEDULED MEETINGS**

July 21, 2010	Arts Commission	7 p.m.	Council Chambers
July 26, 2010	Planning Commission Study Session	7 p.m.	West Conference Rm
July 26, 2010	Planning Commission Public Hearing	8 p.m.	Council Chamber
July 28, 2010	Zoning Hearing	2 p.m.	West Conference Rm
July 28, 2010	Housing & Human Services Commission	7 p.m.	West Conference Rm
Aug. 2, 2010	Board of Library Trustees	7 p.m.	Library Program Rm
Aug. 4, 2010	Heritage Preservation Commission	7 p.m.	West Conference Rm
Aug. 9, 2010	Planning Commission Study Session	7 p.m.	West Conference Rm
Aug. 9, 2010	Planning Commission Public Hearing	8 p.m.	Council Chamber
Aug. 11, 2010	Zoning Hearing	2 p.m.	West Conference Rm
Aug. 11, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
Aug. 18, 2010	Arts Commission	7 p.m.	Council Chambers
Aug. 23, 2010	Planning Commission Study Session	7 p.m.	West Conference Rm
Aug. 23, 2010	Planning Commission Public Hearing	8 p.m.	Council Chamber
Aug. 25, 2010	Administrative Hearing	2 p.m.	West Conference Rm
Aug. 25, 2010	Housing & Human Services Commission	7 p.m.	West Conference Rm
Sept. 8, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
Sept. 15, 2010	Arts Commission	7 p.m.	Council Chambers
Oct. 13, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
Oct. 20, 2010	Arts Commission	7 p.m.	Council Chambers
Nov. 10, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
Nov. 17, 2010	Arts Commission	7 p.m.	Council Chambers
Dec. 8, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
Dec. 15, 2010	Arts Commission	7 p.m.	Council Chambers

**CHANNEL 15 – KSUN**

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

July 20, 2010	City Council Meeting – Live	7 p.m.
July 21, 2010	City Council Meeting – Replay of July 20, 2010	7 a.m.
July 25, 2010	City Council Meeting – Replay of June 15, 2010	4 p.m.