

REVISED
NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL
TUESDAY, NOVEMBER 16, 2010
COUNCIL CHAMBERS and WEST CONFERENCE ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA

5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)

City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Study Session
 - a. Discussion of Council 2011 Intergovernmental Relations Assignments
4. Adjourn Special Meeting

6 P.M. SPECIAL COUNCIL MEETING (Study Session)

City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Board and Commission Interviews
4. Public Comment
5. 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.

SPECIAL ORDER OF THE DAY – Presentation of Certificate of Recognition to Yahoo!

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 November 9, 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 10-314 No. 530

Staff Recommendation: Review the attached list of bills.

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

Contracts

- 1.D. MOTION Award of Contract for Technical Assistance for the Mode 1 Operational
RTC 10-319 Trial at the Water Pollution Control Plant (F1010-37) and Approval of
Budget Modification No. 19

Staff Recommendation: Award a contract to Brown and Caldwell in an amount not to exceed \$107,566 for technical assistance for the Mode 1 Operational Trial at the Water Pollution Control Plant; approve a project contingency in the amount of \$10,757; and approve Budget Modification No. 19 to provide funding for this project.

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

- 1.E. MOTION Third Amendment to an Existing Contract with Associated Infrastructure
RTC 10-318 Management Services Corporation (AIMS) for Project Management
Services (F1010-40)

Staff Recommendation: Approve a Third Amendment to Consultant Services Agreement with AIMS Corporation to increase the contract value by \$600,000, for a total not-to-exceed amount of \$1,150,000, and extending the term through December 31, 2012.

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

- 1.F. MOTION Award of Contract for Liquid Chlorine and Liquid Sulfur Dioxide (F1011-
RTC 10-320 48)

Staff Recommendation: Award a one-year contract in an amount not to exceed \$200,000 to Sierra Chemical Company for Liquid Chlorine and Liquid Sulfur Dioxide as required by the Water Pollution Control Plant.

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

Other Items

- 1.G. MOTION Memorandum of Agreement between the City of Sunnyvale and the
RTC 10-305 County of Santa Clara regarding the State Energy Program Grant for
Retrofit Bay Area

Staff Recommendation: Approve Memorandum of Understanding.
Staff Contact: Suzanne Ise, (408) 730-7698

- 1.H. MOTION Approval of Santa Clara County Cities Association Proposed Bylaws
RTC 10-310 Amendments

Staff Recommendation: Approve the bylaws amendments as proposed by the Santa Clara
County Cities Association.
Staff Contact: Yvette Blackford, (408) 730-7536

- 1.I. MOTION Recommendation to Sunnyvale City Council to Approve Confirmation of
RTC 10-312 New Members to the NOVA Workforce Board

Recommendation: The NOVA Workforce Board Nominating Committee recommends
approval of Alternative 1 and confirm Mr. Thomas Baity and Ms. Laura Stefanski for four-
year terms on the NOVA Workforce Board.
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 Banning Single-Use Plastic Carryout Bags (Study Issue) and Approval of
RTC 10-313 Budget Modification No. 18

Staff Recommendation: Alternative Nos. 1 and 3:

1) Direct staff to prepare an ordinance that:

- o bans use of all single-use carryout bags
- o applies the ban to:
 - Large Supermarkets and Pharmacies
 - Other Large Retailers
 - Other Food and Beverage Stores
- o allows recycled content paper bags for a fee of 15 cents per bag
- o provides six months to implement; and

2) Approve a \$100,000 Budget Modification to pay for environmental review

Staff Contact: Mark Bowers, (408) 730-7421

3. MOTION 2010-7126 Increasing Minimum Dimensions for Usable Open Space
RTC 10-316 (Study Issue)

Staff Recommendation: Make no changes to the Zoning Code.

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

4. ORDINANCE 2010 California Fire Code with Amendments and Standards for High-Rise
RTC 10-321 Buildings

Staff Recommendation: Alternative 1: Adopt the 2010 California Fire Code with amendments and the changes to the High Rise Ordinance.

Staff Contact: Lt. Jeff Schlesinger, (408) 730-7213

*** City Clerk reads the ordinance title. ***

5. ORDINANCE Adoption by Reference of the 2010 California Building Codes
RTC 10-296

Staff Recommendation: Adopt the proposed ordinances.

Staff Contact: Carol Lau, (408) 730-7703

*** City Clerk reads the ordinance title. ***

6. ORDINANCE Introduction of Ordinance Amending Chapter 12.60 "Storm Water
RTC 10-303 Management" of the Sunnyvale Municipal Code (SMC)

Staff Recommendation: Alternative 1: Adopt an ordinance amending Chapter 12.60 to the Sunnyvale Municipal Code to provide the legal authority as required in the city's Stormwater National Pollutant Discharge Elimination System (NPDES) permit (also known as the "MRP").

Staff Contact: Lorrie Gervin, (408) 730-7268

*** City Clerk reads the ordinance title. ***

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- RTC 10-315 Update on Coordinating Zoning for Projects Located Near City Borders (Information Only)
- Draft Minutes of the Board of Library Trustees Meeting of November 1, 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

DATE	MEETING	TIME	PLACE
Nov. 15, 2010	Special Council Meeting – Board and Commission Interviews	6 p.m.	West Conference Rm
Nov. 16, 2010	Council Meeting	7 p.m.	Council Chambers
Dec. 7, 2010	Council Meeting	7 p.m.	Council Chambers
Dec. 14, 2010	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

Nov. 17, 2010	Arts Commission	7 p.m.	To be determined
Nov. 17, 2010	Housing & Human Services Commission	7 p.m.	West Conference Rm
Nov. 18, 2010	Bicycle and Pedestrian Advisory Comm.	6:30 p.m.	West Conference Rm
Nov. 22, 2010	Planning Commission Study Session	7 p.m.	West Conference Rm
Nov. 22, 2010	Planning Commission Public Hearing	8 p.m.	Council Chamber
Nov. 24, 2010	Zoning Administrator Hearing	2 p.m.	West Conference Rm
Dec. 1, 2010	Heritage Preservation Commission	7 p.m.	West Conference Rm
Dec. 8, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
Dec. 13, 2010	Planning Commission Study Session	7 p.m.	West Conference Rm
Dec. 13, 2010	Planning Commission Public Hearing	8 p.m.	Council Chamber
Dec. 15, 2010	Zoning Administrator Hearing	2 p.m.	West Conference Rm
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

Nov. 9, 2010	City Council Meeting – Live	7 p.m.
Nov. 10, 2010	City Council Meeting – Replay of Nov. 9, 2010	7 a.m.
Nov. 14, 2010	City Council Meeting – Replay of Nov. 9, 2010	4 p.m.
Nov. 16, 2010	City Council Meeting – Live	7 p.m.
Nov. 17, 2010	City Council Meeting – Replay of Nov. 16, 2010	7 a.m.
Nov. 21, 2010	City Council Meeting – Replay of Nov. 16, 2010	4 p.m.
Dec. 7, 2010	City Council Meeting – Live	7 p.m.
Dec. 8, 2010	City Council Meeting – Replay of Dec. 7, 2010	7 a.m.
Dec. 12, 2010	City Council Meeting – Replay of Dec. 7, 2010	4 p.m.