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 Trial at the Water Pollution Control Plant (F1010-37) and Approval of Budget Modification No. 19

RTC 10-319

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 Management Services Corporation (AIMS) for Project Management Services (F1010-40)

RTC 10-318

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 (F1011-48)

RTC 10-320

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 RTC 10-305 Memorandum of Agreement between the City of Sunnyvale and the 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 RTC 10-310 Approval of Santa Clara County Cities Association Proposed Bylaws 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 RTC 10-312 Recommendation to Sunnyvale City Council to Approve Confirmation of 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 RTC 10-313 Banning Single-Use Plastic Carryout Bags (Study Issue) and Approval of 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 RTC 10-316 2010-7126 Increasing Minimum Dimensions for Usable Open Space (Study Issue)

Staff Recommendation: Make no changes to the Zoning Code.
Staff Contact: Rosemarie Zulueta, (408) 730-7437

4. ORDINANCE RTC 10-321 2010 California Fire Code with Amendments and Standards for High-Rise 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 RTC 10-296 Adoption by Reference of the 2010 California Building Codes

Staff Recommendation: Adopt the proposed ordinances.
Staff Contact: Carol Lau, (408) 730-7703

* City Clerk reads the ordinance title. *


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**

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<td>Nov. 15, 2010</td>
<td>Special Council Meeting – Board and Commission Interviews</td>
<td>6 p.m.</td>
<td>West Conference Rm</td>
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<tr>
<td>Nov. 16, 2010</td>
<td>Council Meeting</td>
<td>7 p.m.</td>
<td>Council Chambers</td>
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<tr>
<td>Dec. 7, 2010</td>
<td>Council Meeting</td>
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<tr>
<td>Dec. 14, 2010</td>
<td>Council Meeting</td>
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**OTHER SCHEDULED MEETINGS**

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

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

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<td>City Council Meeting – Live</td>
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<td>Nov. 10, 2010</td>
<td>City Council Meeting – Replay of Nov. 9, 2010</td>
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<td>City Council Meeting – Replay of Nov. 9, 2010</td>
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<td>Nov. 16, 2010</td>
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<td>City Council Meeting – Replay of Nov. 16, 2010</td>
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<td>Nov. 21, 2010</td>
<td>City Council Meeting – Replay of Nov. 16, 2010</td>
<td>4 p.m.</td>
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<td>Dec. 7, 2010</td>
<td>City Council Meeting – Live</td>
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<td>Dec. 8, 2010</td>
<td>City Council Meeting – Replay of Dec. 7, 2010</td>
<td>7 a.m.</td>
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<tr>
<td>Dec. 12, 2010</td>
<td>City Council Meeting – Replay of Dec. 7, 2010</td>
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