

## NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL  
TUESDAY, JANUARY 4, 2011  
COUNCIL CHAMBERS and WEST CONFERENCE ROOM  
CITY HALL - 456 W. OLIVE AVE.  
SUNNYVALE, CALIFORNIA**

### 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** - National Blood Donor Month

### **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 December 14, 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 11-003 No. 534

Staff Recommendation: Review the attached lists of bills.

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

*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.*

**Contracts**

- 1.D. MOTION Award of Contract for Environmental Remediation Planning and  
RTC 11-006 Oversight for Morse Park (F1011-45)

Staff Recommendation: Award a contract to Erler & Kalinowski, Inc. (EKI) in an amount not to exceed \$532,000 for Environmental Remediation Planning and Oversight for Morse Park and approve a 10% design contingency in the amount of \$53,200.

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

**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 5 minutes for closing comments.***

2. ORDINANCE Adoption of Ordinance 2947-10 Adding Chapter 9.86 to Title 9 (Public  
2947-10 Peace, Safety or Welfare) and Chapter 19.62 to Title 19 (Zoning) of the Sunnyvale Municipal Code Relating to Medical Marijuana Distribution Facilities; and Amending Table 19.18.030, Table 19.20.030, Table 19.22.030, Table 19.24.030, Table 19.28.070, Table 19.28.080, and Table 19.29.050 of Title 19 (Zoning) of the Sunnyvale Municipal Code Related to Permitted, Conditionally Permitted and Prohibited Uses in City Zoning Districts

Staff Recommendation: Approve second reading of ordinance 2947-10.

Staff Contact: David Kahn, (408) 730-7460

3. MOTION Annual Public Hearing - Potential Council Study Issues and Budget  
RTC 11-001 Issues for Calendar Year 2011

Staff Recommendation: No action is needed at this time. Councilmembers may request new study issues and/or budget issues brought up by the public in the course of the public hearing be developed for review at the Annual Study Issues/Budget Issues Workshop. A minimum of two Councilmembers is required to sponsor a study issue.

Staff Contact: Yvette Blackford, (408) 730-7536

4. MOTION                    2011 City Council Intergovernmental (IGR) Assignments and City Council  
RTC 11-002                    Subcommittees

Staff Recommendation: Alternatives 1, 2 and 3:

1. Approve 2011 appointments by Council as proposed in Attachment A.;
2. Ratify assignments appointed by outside agencies as identified in Attachment A.; and
3. Appoint a councilmember to the Valley Transportation Authority El Camino Real Rapid Transit Policy Advisory Board.

Staff Contact: Yvette Blackford, (408) 730-7536

5. MOTION                    Selection of Vice Mayor for 2011  
RTC 11-004

Staff Recommendation: Council select one of its members to serve as Vice Mayor in accordance with Council Policy 7.3.10 for the one-year term of calendar year 2011 and until a successor is selected.

Staff Contact: Kathleen Franco Simmons, (730) 730-7474

6. MOTION                    2011 Seating Arrangements for City Council  
RTC 11-005

Staff Recommendation: Determine the seating arrangements for 2011 in accordance with Council Policy 7.3.11.

Staff Contact: Kathleen Franco Simmons, (408) 730-7474

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

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

- Council
- Staff

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

- Tentative Council Meeting Agenda Calendar
- Study Session Summary of December 14, 2010 – Upcoming Selection of Vice Mayor for 2011

### **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>
Jan. 4, 2011	Council Meeting	7 p.m.	Council Chambers
Jan. 11, 2011	Council Meeting	7 p.m.	Council Chambers
Jan. 14, 2011	Special Council Meeting	8 a.m.-5 p.m.	TBD
Jan. 25, 2011	Council Meeting	7 p.m.	Council Chambers
Jan. 28, 2011	Special Council Meeting	8:30 a.m.	Council Chambers

**OTHER SCHEDULED MEETINGS**

Dec. 20, 2010	Personnel Board	5 p.m.	Council Chambers
Jan. 3, 2011	Board of Library Trustees	7 p.m.	Library Program Rm A
Jan. 10, 2011	Planning Commission Study Session	7 p.m.	West Conference Rm
Jan. 12, 2011	Parks and Recreation Commission	7 p.m.	Council Chambers
Jan. 12, 2010	Planning Commission Public Hearing	8 p.m.	Council Chamber
Jan. 12, 2010	Zoning Administrator Hearing	2 p.m.	West Conference Rm
Jan. 12, 2010	Housing & Human Services Commission	7 p.m.	Board Room, Community Center
Jan. 12, 2010	Heritage Preservation Commission	7 p.m.	Lobby Conference Rm
Jan. 12, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
Jan. 19, 2010	Arts Commission	7 p.m.	Council Chambers
Jan. 21, 2011	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conference Rm
Feb. 9, 2011	Parks and Recreation Commission	7 p.m.	Council Chambers
Feb. 16, 2011	Arts Commission	7 p.m.	Council Chambers
Mar. 9, 2011	Parks and Recreation Commission	7 p.m.	Council Chambers
Mar. 16, 2011	Arts Commission	7 p.m.	Council Chambers
April 13, 2011	Parks and Recreation Commission	7 p.m.	Council Chambers
April 20, 2011	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)

Jan. 4, 2011	City Council Meeting – Live	7 p.m.
Jan. 5, 2011	City Council Meeting – Replay of Jan. 4, 2011	7 a.m.
Jan. 9, 2011	City Council Meeting – Replay of Jan. 4, 2011	4 p.m.
Jan. 11, 2011	City Council Meeting – Live	7 p.m.
Jan. 12, 2011	City Council Meeting – Replay of Jan. 11, 2011	7 a.m.
Jan. 16, 2011	City Council Meeting – Replay of Jan. 11, 2011	4 p.m.