

## NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL AND REDEVELOPMENT AGENCY  
TUESDAY, APRIL 26, 2011  
COUNCIL CHAMBERS and WEST CONFERENCE ROOM  
CITY HALL - 456 W. OLIVE AVE.  
SUNNYVALE, CALIFORNIA**

### **5 P.M. SPECIAL REDEVELOPMENT AGENCY MEETING (Closed Session – as necessary)**

#### Redevelopment Agency 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 Redevelopment Agency beginning the Closed Session. Closed Sessions are not open to the public.*
  - a. Closed Session Pursuant to Govt. Code Section 54956.8  
Conference with Real Property Negotiator  
Property: Sunnyvale Town Center Project  
Negotiating Parties: Sunnyvale Redevelopment Agency; Receiver for Town Center Project  
Under Negotiation: Terms for Lease of Real Property
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. Convene to Study Session
  - a. Board and Commission Interviews  
Staff Contact: Lisa Natusch, (408) 730-7595
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.*

*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.*

**CALL TO ORDER** - Call to order in the Council Chambers

**SALUTE TO THE FLAG**

**ROLL CALL**

**SPECIAL ORDER OF THE DAY** – Recognition of 2011 Earth Day Poster Contest Winners and Green Business Certification Recipients (15 minutes)

**SPECIAL ORDER OF THE DAY** – National Fair Housing Month (5 minutes)

**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 April 5, 2011
- 1.B. MOTION Approval of Corrected Council Meeting Minutes of February 15, 2011
- 1.C. MOTION Approval of Information/Action Items – Council Directions to Staff

**Fiscal Items**

- 1.D. MOTION List of Claims and Bills Approved for Payment by the City Manager – List  
RTC 11-073 Nos. 549-551

Staff Recommendation: Review the lists of bills.

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

- 1.E. MOTION City of Sunnyvale Investment Report – 1<sup>st</sup> Quarter 2011  
RTC 11-071

Staff Recommendation: Receive and file the investment report.

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

- 1.F. RESOLUTION Adopt a Resolution to Authorize the Filing of the Fiscal Year 2011/12  
RTC 11-070 Transportation Development Act Article 3 Application for Pedestrian and  
Bicycle Projects and Approve Budget Modification No. 29

Staff Recommendation: Alternative 1: Adopt the resolution authorizing filing of a project application with the VTA and MTC for allocation of Transportation Development Act funds for FY 2011/12 for pedestrian/bicycle projects for a East Channel Trail Project, and approve Budget Modification No. 29 to reduce the local match of \$149,000 originally budgeted for Project 829010, East Channel Trail, by \$67,205 to fund a new project, Stevens Creek Trail Feasibility Study, in FY 2010/11.

Staff Contact: Jack Witthaus (408) 730-7330

**Contracts**

- 1.G. MOTION Award of Contract for the Upgrade of the 911 Computer Aided Dispatch  
RTC 11-085 (CAD) and Report Management System (RMS) (F1004-105) and  
Authorization to Enter Into Cost Sharing Agreement with the Town of Los  
Gatos

Staff Recommendation: Award a contract in the amount of \$416,121, excluding taxes, to Tiburon, Inc. for the upgrade of the 911 Computer Aided Dispatch (CAD) and Report Management System; and authorize the City Manager to enter into Cost Sharing Agreement with the Town of Los Gatos for the purchase and maintenance costs related to items described in this report.

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

- 1.H. MOTION Award of Contract for a Feasibility Study for Storm Pump Station No. 2  
RTC 11-076 Rehabilitation (F1012-56)

Staff Recommendation: Award a contract in the amount of \$96,522 to Schaaf & Wheeler Consulting Civil Engineers for the subject project and authorize the City Manager to execute the contract when all the necessary conditions have been met; and approve a 10% project contingency in the amount of \$9,652.

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

- 1.I. MOTION Award of Bid No. F1003-87 for Concrete Sidewalk, Curb, Gutter and  
RTC 11-078 Driveway Approaches – 2011

Staff Recommendation: Award a contract in the amount of \$314,353 to Weber Tractor Service for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met.

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

- 1.J. MOTION Award of Contract to Provide Park and Playground Equipment, Surfacing  
RTC 11-080 Materials and Site Furnishings for the Department of Community  
Services (F1002-75)

Staff Recommendation: Award a contract in the amount of \$108,927 to Ross Recreation to provide and install playground equipment; and approve a project contingency in the amount of \$10,893.

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

- 1.K. MOTION Authorization to Amend an Existing Contract for the Refurbishment of  
RTC 11-075 Water Tanks at Wright Avenue (F1004-104)

Staff Recommendation: Approve an amendment to an existing contract with AA-1 Services, Inc. for the refurbishment of water tanks at the Wright Avenue Water Plant to increase the contract value by \$136,000 to compensate for the negotiated settlement to a contractor claim submitted during the course of construction on the project.

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

- 1.L. MOTION Award of Contract to Provide a Permitting Software System for the  
RTC 11-072 Department of Community Development (F0905-102)

Staff Recommendation: Award a contract in the amount of \$490,373, to MS Govern, a division of N. Harris Computer Systems, to provide and install a permitting software system; and approve a 15% project contingency in the amount of \$73,556.

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

### Personnel

- 1.M. RESOLUTION Adoption of the Sunnyvale Managers Association (SMA)  
RTC 11-079 Memorandum of Understanding and Amendment to the Salary Resolution

Staff Recommendation: Alternative 1: Adopt the Memorandum of Understanding with the Sunnyvale Managers Association, and adopt the related amendment to the Salary Resolution.

Staff Contact: Teri Silva, (408) 730-7495

- 1.N. RESOLUTION Adoption of the Public Safety Officers Association (PSOA) Memorandum  
RTC 11-081 of Understanding Extension and Amendment to the Salary Resolution

Staff Recommendation: Alternative 1: Adopt the Memorandum of Understanding extension with the Public Safety Officers Association, and adopt the related amendment to the Salary Resolution.

Staff Contact: Teri Silva, (408) 730-7495

- 1.O. RESOLUTION Amendment to the Classification Plan to Add Newly-Established  
RTC 11-084 Classifications in Support of a New Department of Utilities and to Eliminate Classifications in the Department of Community Services and Office of the City Manager

Staff Recommendation: Adopt a resolution to amend the City's Classification Plan to add the newly-established classifications of Director of Utilities, Water and Sewer Systems Manager and Property Clerk I/II and eliminate the classifications of Director of Parks and Recreation and Intergovernmental Relations Officer.

Staff Contact: Teri Silva, (408) 730-7495

### 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. MOTION                    2011-7118 - Request to Rename Capella Way to Charlie Olson Way  
RTC 11-068

Staff Recommendation: Staff makes no recommendation.  
Staff Contact Shaunn Mendrin, (408) 730-7429

3. MOTION                    Sunnyvale Middle School Open Space Master Plan Revision  
RTC 11-074

Staff Recommendation: Alternative 1: Approve the proposed master plan for Sunnyvale Middle School open space.  
Staff Contact: Scott Morton, (408) 730-7596

4. ORDINANCE            Consider Increase in the Parks Dedication Standard from 3.0 Acres to  
RTC 11-083                5.0 Acres per 1,000 Population (Subdivision Map Act, Title 18.10 of the  
SMC and Fee Mitigation Act, Title 19.74 of SMC)

Staff Recommendation: Alternatives 1, 2, and 3:

1. Adopt the attached amendments to City Municipal Code Title 18 (Subdivisions) Chapter 18.10, Parks and Open Space Dedication, raising the facility standard of 3.0 acres per 1,000 population effective on July 1, 2011, to 5.0 acres per 1,000 population to be effective on July 1, 2012; and
2. Adopt the attached amendments to City Municipal Code Title 19 (Zoning) Chapter 19.74, Park Dedication Fees for Rental Housing Projects, raising the facility standard of 3.0 acres per 1,000 population effective on July 1, 2011, to 5.0 acres per 1,000 population to be effective July 1, 2012; and
3. Direct staff to provide information regarding the possible implementation of a park mitigation fee for new industrial, commercial and retail developments.

Staff Contact: Cathy Merrill, (408) 730-7531

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

5. MOTION                    Revisit City Policy Governing the Community Recreation Fund (Study  
RTC 11-082                Issue)

Staff Recommendation: Alternatives 1 and 3:

1. Beginning in FY 2012/2013, rename the Community Recreation Fund the Golf and Tennis Fund. Operate it as a true enterprise fund. Transfer all other recreational services, including both revenues and expenses, to the General Fund; and
3. Eliminate Fiscal Sub-element policies 1.2a.1; 1.2a.2; 1.2a.3; 1.2a.4; and 1.2a.5. Fund golf and tennis infrastructure with golf and tennis revenues rather than Park Dedication Funds.

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

6. MOTION Consideration of a Position on Measure C (May 2011 Special Mail Ballot)  
RTC 11-069

Staff Recommendation: Staff makes no recommendation.

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

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

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

- Council
- Staff

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

- Tentative Council Meeting Agenda Calendar
- RTC 11-077 Opportunity for Council to Appeal Decisions of the Planning Commission of April 11, 2011 and the Zoning Administrator Hearing of April 13, 2011
- Draft Minutes of the Joint Arts Commission and Parks & Recreation Commission Special Meeting of April 13, 2011
- Draft Minutes of the Heritage Preservation Commission Meeting of April 6, 2011.
- Draft Minutes of the Board of Library Trustees Meeting of April 4, 2011
- Draft Minutes of the Housing & Human Services Commission Meeting of March 23, 2011
- Study Session Summary of February 15, 2011 – Board and Commission Interviews

### **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 35.106 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>
April 26, 2011	Council Meeting	7 p.m.	Council Chambers
May 10, 2011	Council Meeting	7 p.m.	Council Chambers

**OTHER SCHEDULED MEETINGS**

April 25, 2011	Planning Commission Study Session	7 p.m.	West Conference Rm
April 25, 2011	Planning Commission Public Hearing	8 p.m.	Council Chambers
April 27, 2011	Zoning Administrator Hearing	2 p.m.	West Conference Rm
April 27, 2011	Housing and Human Services Commission	7 p.m.	Council Chambers
April 28, 2011	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conf Room
May 9, 2011	Planning Commission Study Session	7 p.m.	West Conference Rm
May 9, 2011	Planning Commission Public Hearing	8 p.m.	Council Chambers
May 11, 2011	Zoning Administrator Hearing	2 p.m.	West Conference Rm
May 16, 2011	Board of Library Trustees	7 p.m.	Library Program Room
May 16, 2011	Sustainability Commission	7 p.m.	West Conference Rm
May 23, 2011	Planning Commission Study Session	7 p.m.	West Conference Rm
May 23, 2011	Planning Commission Public Hearing	8 p.m.	Council Chambers
May 25, 2011	Zoning Administrator Hearing	2 p.m.	West Conference Rm
May 25, 2011	Housing and Human Services Commission	7 p.m.	West Conference Rm
May 25, 2011	Joint Arts and Parks and Recreation Commission Study Session	6 p.m.	Community Center Neighborhood Rm
May 25, 2011	Joint Arts and Parks and Recreation Commission Meeting	7 p.m.	Community Center Neighborhood Rm
June 1, 2011	Heritage Preservation Commission	7 p.m.	Lobby Conference Rm
June 8, 2011	Parks and Recreation Commission	7 p.m.	Council Chambers
June 15, 2011	Arts Commission	7 p.m.	Council Chambers
July 18, 2011	Sustainability Commission	7 p.m.	West Conference Rm
July 13, 2011	Parks and Recreation Commission	7 p.m.	Council Chambers
July 20, 2011	Arts Commission	7 p.m.	Council Chambers
Sept. 19, 2011	Sustainability Commission	7 p.m.	West Conference Rm
Nov. 21, 2011	Sustainability 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 26, 2011	City Council Meeting – Live	7 p.m.
April 27, 2011	City Council Meeting – Replay of April 26, 2011	7 p.m.
May 1, 2011	City Council Meeting – Replay of April 26, 2011	4 p.m.