

**NOTICE AND AGENDA**

**SUNNYVALE CITY COUNCIL  
TUESDAY, MAY 24, 2011  
COUNCIL CHAMBERS and WEST CONFERENCE ROOM  
CITY HALL - 456 W. OLIVE AVE.  
SUNNYVALE, CALIFORNIA**

**5:15 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. Closed Session pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator  
Agency Negotiator: Teri Silva, Director of Human Resources  
Employee Organizations: Sunnyvale Employees Association, Public Safety Officers Association, Public Safety Managers Association, Communication Officers Association, Service Employees International Union, Sunnyvale Managers Association
4. Adjourn Special Meeting

**5:45 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. Closed Session pursuant to Government Code Section 54957  
Public Employee Performance Evaluation – City Attorney  
Staff Contact: Teri Silva, (408) 730-7495
4. Adjourn Special 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.*

**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** – Lakewood School Color Guard

**ROLL CALL**

**CLOSED SESSION REPORT FOR MAY 17, 2011**

*Closed Session pursuant to Government Code Section 54957 – Public Employee Performance Evaluations*

**CLOSED SESSION REPORT FOR MAY 24, 2011**

*Closed Session pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator*

**CLOSED SESSION REPORT FOR MAY 24, 2011**

*Closed Session pursuant to Government Code Section 54957 – Public Employee Performance Evaluations*

**SPECIAL ORDER OF THE DAY** – Department of Public Safety Special Awards

**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 May 10, 2011
- 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 11-099 Nos. 554 & 555

Staff Recommendation: Review the attached lists of bills.

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

- 1.D. MOTION Council Authorization to Sign the Joint Powers Agreement to Become a  
RTC 11-105 Member of the Bay Area Regional Interoperable Communications  
Systems Authority (BayRICSA)

Staff Recommendation: Authorize the City Manager to sign the Joint Powers Agreement to become a member of the Bay Area Regional Interoperable Communications Systems Authority (BayRICSA).

Staff Contact: Deputy Chief James Bouziane, (408) 730-7158

### **Contracts**

- 1.E. MOTION Award of Bid No. F1003-91 for ADA Curb Ramps-2011 Re-bid  
RTC 11-102

Staff Recommendation: Award a contract in the amount of \$267,000 to Spencon Construction, Inc. for the subject project and authorize the City Manager to execute the contract when all the necessary conditions have been met; and approve a construction contingency in the amount of \$16,020.

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

- 1.F. MOTION Award of Contract for an Emergency 911 Audio Recording Equipment  
RTC 11-096 Upgrade for the Department of Public Safety (F1004-103)

Staff Recommendation: Award a contract in the amount of \$130,954 to Capture Technologies Inc. for a 911 Emergency audio recording equipment upgrade.

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

- 1.G. MOTION Amend an Existing Contract for Polymer Flocculant for the Water  
RTC 11-103 Pollution Control Plant (F1004-108)

Staff Recommendation: Amend the existing three (3) year contract with Polydyne, Inc. by extending it by one year with the option of extending for two additional one year periods if pricing and service remain acceptable to the City.

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

### **Other Items**

- 1.H. MOTION Approval of Final Map (Tract No. 10075) – Twenty-four Unit  
RTC 11-097 Condominiums at 650-660 East Taylor Avenue by City Ventures  
Homebuilding LLC

Staff Recommendation: Approve the final map for Tract No. 10075; accept the public street dedication; authorize the Mayor to sign the subdivision agreement upon: developer's signatures, submittal of improvement securities, payment of development fees, and submittal of other documents deemed necessary by the Director of Public Works; direct the City Clerk to sign the City Clerk's Statement; and direct the City Clerk to forward the final map for recordation.

Staff Contact: Erik Gonzales (408) 730-7616

## **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 Board and Commission Appointments  
RTC 11-100

Staff Recommendation: Confirm appointments from the candidates listed in the report.  
Staff Contact: Lisa Natusch, (408) 730-7595

3. MOTION Red Light Camera Intersection Monitoring Systems in the City of  
RTC 11-101 Sunnyvale (Study Issue Update)

Staff Recommendation: Staff makes no recommendation.  
Staff Contact: Captain Doug Moretto, (408) 730-7711

4. MOTION Appointments of a Director to the Bay Area Water Supply and  
RTC 11-088 Conservation Agency and the San Francisco Regional Water System  
Financing Authority to Serve Four Year Terms: July 2011 – June 2015

Staff Recommendation: Staff has no recommendation other than the same person be appointed to the two boards, and that a schedule of briefing, or update, meetings or memoranda be established to allow Council to be kept informed of important regional water issues.  
Staff Contact: Jim Craig, (408) 730-7552

5. ORDINANCE An Ordinance of the City Council of the City of Sunnyvale to Amend  
RTC 11-087 Certain Sections of Chapters 12.04 (Sewerage System); 12.12 (Sewer  
Use Regulations) and 12.18 (Enforcement) of Title 12 (Water and  
Sewers) of the Sunnyvale Municipal Code Relating to Sewer Regulations  
and Enforcement

Staff Recommendation: Alternative 1: Adopt the proposed ordinance amending Chapters 12.04, 12.12, 12.18 of Title 12 of the Sunnyvale Municipal Code to incorporate the two required, and three recommended changes to be consistent with 40 CFR Part 403.  
Staff Contact: Lorrie Gervin, (408) 730-7268

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

6. ORDINANCE Introduction of an Ordinance to Amend Certain Sections of Sunnyvale  
RTC 11-104 Municipal Code Title 18 and Title 19 to Clarify Phasing of Parkland  
Dedication Requirements for Housing Projects

Staff Recommendation: Introduce the proposed ordinance in Attachment A to amend Section 18.10.030 and 19.74.030 to clarify residential housing projects are subject to the parkland dedication requirement effective at the time the development application is deemed complete.

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

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

7. COUNCIL Discussion and Possible Action Regarding City of Sunnyvale  
DISCUSSION Centennial Celebration

Recommendation: Discussion and possible action regarding City of Sunnyvale Centennial Celebration.

Contact: Mayor Hamilton (408) 730-7473

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

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

- Council
- Staff

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

- Tentative Council Meeting Agenda Calendar
- RTC 11-106 Update #6 Regarding Morse Avenue Park Site Development (Information Only)
- RTC 11-098 Opportunity for Council to Appeal Decisions of the Planning Commission Meeting of May 9, 2011 and the Zoning Administrator Hearing of May 11, 2011
- Draft Minutes of Arts Commission Special Meeting of May 3, 2011
- Study Session Summary of May 10, 2011 – Strategic Infrastructure Plan of the Water Pollution Control Plant

#### **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>
May 24, 2011	Council Meeting	7 p.m.	Council Chambers
June 2, 2011	Special Council Meeting – Budget Workshop	8:30 a.m.	Council Chambers
June 7, 2011	Council Meeting	7 p.m.	Council Chambers

**OTHER SCHEDULED MEETINGS**

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	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 13, 2011	Planning Commission Study Session	7 p.m.	West Conference Rm
June 13, 2011	Planning Commission Public Hearing	8 p.m.	Council Chambers
June 15, 2011	Zoning Administrator Hearing	2 p.m.	West Conference Rm
June 15, 2011	Arts Commission	7 p.m.	Council Chambers
June 16, 2011	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conf Room
June 22, 2011	Housing & Human Services Commission	7 p.m.	West Conference Rm
June 27, 2011	Planning Commission Study Session	7 p.m.	West Conference Rm
June 27, 2011	Planning Commission Public Hearing	8 p.m.	Council Chambers
June 29, 2011	Zoning Administrator Hearing	2 p.m.	West Conference Rm
July 11, 2011	Board of Library Trustees	7 p.m.	Library Program Room
July 13, 2011	Parks and Recreation Commission	7 p.m.	Council Chambers
July 18, 2011	Sustainability Commission	7 p.m.	West Conference Rm
July 20, 2011	Arts Commission	7 p.m.	Council Chambers
Aug. 10, 2011	Parks and Recreation Commission	7 p.m.	Council Chambers
Aug. 17, 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)

May 24, 2011	City Council Meeting – Live	7 p.m.
May 25, 2011	City Council Meeting – Replay of May 24, 2011	7 p.m.
May 29, 2011	City Council Meeting – Replay of May 24, 2011	4 p.m.