

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, JUNE 14, 2011
COUNCIL CHAMBERS and WEST CONFERENCE ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

5 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 54956.9(a)
Conference with Legal Counsel – Existing Litigation: Millar, et al. vs. City of Sunnyvale, et al., United State District Court Case No. 5:10 CV 00827-EJD
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. Civic Center Buildings: Renovate, Replace or Relocate? (Study Issue)
Staff Contact: Coryn Campbell, (408) 730-7475
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

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.

SALUTE TO THE FLAG

ROLL CALL

CLOSED SESSION REPORT FOR JUNE 14, 2011

Closed Session pursuant to Government Code Section 54956.9(a) Conference with Legal Counsel – Existing Litigation

SPECIAL ORDER OF THE DAY – Boards and Commissions Oath of Office

PUBLIC ANNOUNCEMENTS

Each speaker is limited to three minutes for announcements of community events, programs, or recognition.

PRESENTATION – The Health Trust Sunnyvale Dental Center (5 minutes)

CONSENT CALENDAR

- 1.A. MOTION Approval of Special Council Meeting Minutes of June 2, 2011
- 1.B. MOTION Approval of Council Meeting Minutes of June 7, 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 11-121 No. 558

Staff Recommendation: Review the attached lists of bills.

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

- 1.E. MOTION Approval of Budget Modification No. 31 to Appropriate \$76,292 of Santa
RTC 11-126 Clara County Public Health Communities Putting Prevention to Work
Grant Funds for Smoking and Tobacco Use Prevention

Staff Recommendation: Alternative 1: Approve Budget Modification No. 31 to appropriate \$76,292 of Santa Clara County Public Health Communities Putting Prevention to Work Grant Funds for Smoking and Tobacco Use Prevention.

Staff Contact: Ann Durkes, (408) 730-7355

- 1.F. MOTION Approval of Budget Modification No. 34 to Recognize Grant Funding and
RTC 11-122 Appropriate Funds for a Remington Drive/Bernardo Avenue Traffic Signal
Project

Staff Recommendation: Alternative 1: Authorize the City Manager to execute any required agreements to secure grant funding and implement the Remington Drive/Bernardo Avenue Traffic Signal project; and Alternative 2: Approve Budget Modification No. 34 to appropriate \$626,600 of grant funding from the Federal Highway Safety Improvement Program, and \$104,600 of local City match from existing project 816000 (Future Traffic Signal Construction and Modification) to fund a new project, Remington Drive/Bernardo Avenue Traffic Signal.

Staff Contact: Jack Witthaus, (408) 730-7330

Contracts

- 1.G. MOTION Award of Contract for Aggregate, Crushed Granite and Sand for the
RTC 11-124 Department of Public Works Field Services Division (F1004-97)

Staff Recommendation: Award a two-year contract to Graniterock Company in an amount not to exceed \$286,230 for a two year period, to provide aggregate crushed granite and sand to the City of Sunnyvale Public Works Department; and delegate authority to the City Manager to exercise an option to extend the contract for one additional year, provided that pricing and service remain acceptable to the City.

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

- 1.H. MOTION Award of Contract to Provide 2010 Microsoft Office Licenses for City
RTC 11-125 Wide Upgrade (F1004-106)

Staff Recommendation: Award a contract for 700 Microsoft Office Licenses in the amount of \$169,078, to Insight Public Sector.

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

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 Annual Public Hearing on FY 2011/2012 Budget and Resource Allocation
RTC 11-129 Plan and Establishment of Appropriations Limit

Staff Recommendation: It is recommended that the public hearing be held to meet the legal requirements of the City Charter, the California Constitution, and the California Government Code. Council should provide direction to staff on any issue requiring further review prior to the budget adoption on June 28, 2011.

Staff Contact: Drew Corbett, (408) 730-7603

3. MOTION Public Hearing - Annual Review of Fees and Charges for Fiscal Year
RTC 11-116 2011/2012

Staff Recommendation: It is recommended that the public hearing be held to meet the requirements of the City Charter and the California Government Code. Council should provide direction to staff on any fee requiring further review prior to the budget adoption on June 28, 2011.

Staff Contact: Drew Corbett, (408) 730-7603

4. RESOLUTION Adoption of Proposed FY 2011/2012 Rates for Water, Wastewater and
RTC 11-118 Solid Waste Utilities for Services Provided to Customers Within and
Outside City Boundaries

Staff Recommendation: Alternative 1: Adopt the resolution increasing water rates by 18%, adjusting the price structure for water rates, increasing wastewater rates by 5.5%, and solid waste rates by 6% for FY 2011/2012.

Staff Contact: Tim Kirby, (408) 730-2712

5. MOTION Closing Murphy Avenue to Automobile Traffic (Study Issue)
RTC 11-123

Staff Recommendation: Alternative 2: Consider additional planning and research into economic impacts, case studies and broader community viewpoints, including Murphy Avenue customers and property owners, and discussion with the Town Center developer on implications of having historic Murphy Avenue closed or open to the Town Center.

Staff Contact: Jack Witthaus, (408)730-7330.

6. RESOLUTION Resolution Calling a Special Municipal Election for Proposed Charter
RTC 11-128 Amendments, on a Consolidated November 8, 2011 Ballot

Staff Recommendation: Alternative 1: Approve the resolution calling a Special Municipal Election for the purpose of submitting to the voters two ballot measures concerning amendments to the City Charter to be placed on the ballot at the consolidated election to be held in the City of Sunnyvale on November 8, 2011.

Staff Contact: David Kahn, City Attorney (408) 730-7464

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- City Manager

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Special Meeting of May 26, 2011

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 35.106 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

DATE	MEETING	TIME	PLACE
June 14, 2011	Council Meeting	7 p.m.	Council Chambers
June 28, 2011	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

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 16, 2011	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conf Room
June 22, 2011	Housing & Human Services Commission	7 p.m.	Neighborhood 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	Planning Commission Study Session	7 p.m.	West Conference Rm
July 11, 2011	Planning Commission Public Hearing	8 p.m.	Council Chambers
July 11, 2011	Board of Library Trustees	7 p.m.	Library Program Room
July 13, 2011	Zoning Administrator Hearing	2 p.m.	West Conference Rm
July 13, 2011	Heritage Preservation Commission	7 p.m.	Lobby Conference Rm
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
July 25, 2011	Planning Commission Study Session	7 p.m.	West Conference Rm
July 25, 2011	Planning Commission Public Hearing	8 p.m.	Council Chambers
July 27, 2011	Zoning Administrator Hearing	2 p.m.	West Conference Rm
July 27, 2011	Housing & Human Services Commission	7 p.m.	West Conference Rm
Aug. 10, 2011	Parks and Recreation Commission	7 p.m.	Council Chambers
Aug. 17, 2011	Arts Commission	7 p.m.	Council Chambers
Sept. 14, 2011	Parks and Recreation Commission	7 p.m.	Council Chambers
Sept. 19, 2011	Sustainability Commission	7 p.m.	West Conference Rm
Sept. 21, 2011	Arts Commission	7 p.m.	Council Chambers
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

June 12, 2011	City Council Meeting – Replay of June 7, 2011	4 p.m.
June 14, 2011	City Council Meeting – Live	7 p.m.
June 15, 2011	City Council Meeting – Replay of June 14, 2011	7 p.m.
June 19, 2011	City Council Meeting – Replay of June 14, 2011	4 p.m.