

## NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL and REDEVELOPMENT AGENCY  
TUESDAY, AUGUST 23, 2011  
COUNCIL CHAMBERS and WEST CONFERENCE ROOM  
CITY HALL - 456 W. OLIVE AVE.  
SUNNYVALE, CALIFORNIA**

**5:45 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
4. Public Comment
5. Adjourn Special Meeting

**6:30 P.M. SPECIAL REDEVELOPMENT AGENCY MEETING (Closed Session)**

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 Council beginning the Closed Session. Closed Sessions are not open to the public.*
  - a. Closed Session pursuant to Government 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

**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**

**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 August 9, 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 11-178 No 567-568

Staff Recommendation: Review the attached lists of bills.

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

- 1.D. MOTION Investment and Cash Management Policy Review and Adoption for  
RTC 11-176 Fiscal Year 2011/2012

Staff Recommendation: Adopt the attached Investment Policy for FY 2011/2012 as presented.

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

- 1.E. MOTION Authorize the City Manager to Execute Necessary Agreements and  
RTC 11-179 Documentation for Santa Clara Valley Transportation Authority (VTA)  
Transportation Fund for Clean Air Program Manager Grant for a Pastoria  
Avenue Bicycle Lanes Project and Approval of Budget Modification No. 1

Staff Recommendation: Authorize the City Manager to execute required agreements and documentation and approve Budget Modification No. 1 to appropriate grant revenues in the amount of \$85,000 from the Santa Clara VTA Transportation Fund for Clean Air Program Manager Fund, as well as the required 20% local match of \$21,250 from dedicated local matching funds, to the new Pastoria Avenue Bicycle Lanes Project.

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

**Contracts**

- 1.F. MOTION Award of Bid No. F1006-121 for Chemicals for Wastewater Treatment for  
RTC 11-180 Department of Utilities

Staff Recommendation: Award a one-year contract for chemicals for wastewater treatment in an amount not-to-exceed \$161,455 to Univar USA Inc., and delegate authority to the City Manager to renew the Purchase Order for two additional one-year periods provided pricing and service remains acceptable to the City.

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

- 1.G. MOTION Award of a Contract for the Design of the Hendy Avenue Complete Street  
RTC 11-182 Project (F1003-93)

Staff Recommendation: Award a contract in the amount of \$351,274 to Bellecci & Associates, 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 10% design contingency in the amount of \$35,127.

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

- 1.H. MOTION Amendment to an Existing Contract with RMC Water & Environment to  
RTC 11-183 Provide Additional Consultant Services for Emergency Bypass Pumping  
Plan Study Project (F1108-09)

Staff Recommendation: Amend the existing contract with RMC Water & Environment and increase the total contract value from \$99,900 to \$165,100 with a 10% design contingency in the amount of \$16,510.

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. MOTION Study Issue: Utility Bill Assistance for Low Income, Fixed Income, Senior,  
RTC 11-172 and Disabled Utility Customers

Staff Recommendation: Alternative 1: Direct staff to design and implement a donation program to provide funding for a utility bill assistance program for low income utility customers.

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

3. ORDINANCE      Update to Enforcement Provisions of Chapter 8.16 of Sunnyvale  
RESOLUTION      Municipal Code (Solid Waste Management and Recycling)  
RTC 11-177

Staff Recommendation: Alternative 1: Adopt the attached ordinance updating Chapter 8.16 of the Municipal Code; and Alternative 2: Adopt a resolution to establish a fee for uncovered loads at the SMaRT Station.

Staff Contact: Karen Gissibl, (408) 730-7277

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

4. MOTION              Response to the 2010-2011 Santa Clara County Civil Grand Jury Final  
RTC 11-175              Reports, "Fighting Fire or Fighting Change? Rethinking Fire Department  
Response Protocol and Consolidation Opportunities" and "Can You Hear  
Me Now? Emergency Dispatch in Santa Clara County"

Staff Recommendation: Alternative 1: Approve the City's response to the Santa Clara County Civil Grand Jury report as presented in Attachment A.

Staff Contact: Steve Drewniany, (408) 730-7123

5. MOTION              Maternity Leave for Board and Commission Members  
RTC 11-184

Staff Recommendation: Staff makes no recommendation.

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

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

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

- Council
- City Manager

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

- Tentative Council Meeting Agenda Calendar
- RTC 11-181 Opportunity for Council to appeal decisions of the Planning Commission of August 8, 2011 and the Zoning Administrator Hearing of August 10, 2011.
- Draft Minutes from the Arts Commission Meeting of July 20, 2011

## **ADJOURNMENT TO THE REDEVELOPMENT AGENCY**

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### **REDEVELOPMENT AGENCY**

### **ROLL CALL**

### **CONSENT CALENDAR**

- RDA 1.A. MOTION              Approval of Draft Minutes of Regular Meeting of June 28, 2011

**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 Agency Chair) 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 Agency members. If you wish to address the Agency, please complete a speaker card and give it to the agency 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 agency clerk. You will be recognized at the time the item is being considered by the Agency. **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.***

- RDA 2. RESOLUTION Approval and Adoption of an Enforceable Obligations Payment  
RDA 11-004 Schedule Pursuant to Part 1.8 of the California Community  
Redevelopment Law  
Staff Recommendation: Alternative 1: Approve a Resolution of the Redevelopment  
Agency of the City of Sunnyvale approving and adopting the Enforceable Obligation  
Payment Schedule Pursuant to Part 1.8 of the Redevelopment Law.  
Staff Contact: Brice McQueen, (408) 730-7284

**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>
Aug. 23, 2011	Council Meeting	7 p.m.	Council Chambers
Sept. 13, 2011	Council Meeting	7 p.m.	Council Chambers

**OTHER SCHEDULED MEETINGS**

Aug. 18, 2011	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conference Rm
Aug. 22, 2011	Planning Commission Study Session	7 p.m.	West Conference Rm
Aug. 22, 2011	Planning Commission Public Hearing	8 p.m.	Council Chambers
Aug. 24, 2011	Zoning Administrator Hearing	2 p.m.	West Conference Rm
Sept. 7, 2011	Heritage Preservation Commission	7 p.m.	West Conference Rm
Sept. 11, 2011	Board of Library Trustees	7 p.m.	Library Program Rm
Sept. 12, 2011	Planning Commission Study Session	7 p.m.	West Conference Rm
Sept. 12, 2011	Planning Commission Public Hearing	8 p.m.	Council Chambers
Sept. 12, 2011	Board of Library Trustees	7 p.m.	Library Program Rm
Sept. 14, 2011	Zoning Administrator Hearing	2 p.m.	West Conference Rm
Sept. 14, 2011	Parks and Recreation Commission	7 p.m.	Council Chambers
Sept. 15, 2011	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conference Rm
Sept. 19, 2011	Sustainability Commission	7 p.m.	West Conference Rm
Sept. 21, 2011	Arts Commission	7 p.m.	Council Chambers
Sept. 26, 2011	Planning Commission Study Session	7 p.m.	West Conference Rm
Sept. 26, 2011	Planning Commission Public Hearing	8 p.m.	Council Chambers
Sept. 28, 2011	Zoning Administrator Hearing	2 p.m.	West Conference Rm
Sept. 28, 2011	Housing and Human Services Commission	7 p.m.	West Conference Rm
Oct. 12, 2011	Parks and Recreation Commission	7 p.m.	Council Chambers
Oct. 19, 2011	Arts Commission	7 p.m.	Council Chambers
Nov. 16, 2011	Parks and Recreation Commission	7 p.m.	Council Chambers
Nov. 21, 2011	Sustainability Commission	7 p.m.	West Conference Rm
Nov. 23, 2011	Arts Commission	7 p.m.	Council Chambers
Dec. 14, 2011	Parks and Recreation Commission	7 p.m.	Council Chambers
Dec. 21, 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)

Aug. 23, 2011	City Council Meeting – Live	7 p.m.
Aug. 24, 2011	City Council Meeting – Replay of Aug. 23, 2011	7 p.m.
Aug. 28, 2011	City Council Meeting – Replay of Aug. 23, 2011	4 p.m.
Sept. 13, 2011	City Council Meeting – Live	7 p.m.
Sept. 14, 2011	City Council Meeting – Replay of Sept. 13, 2011	7 p.m.
Sept. 18, 2011	City Council Meeting – Replay of Sept. 13, 2011	4 p.m.