NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL
TUESDAY, NOVEMBER 29, 2011
COUNCIL CHAMBERS and LIBRARY PROGRAM ROOMS A & B
CITY HALL - 456 W. OLIVE AVE. and LIBRARY – 665 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA

5:30 P.M. SPECIAL COUNCIL MEETING – JOINT STUDY SESSION WITH PLANNING
COMMISSION, BICYCLE AND PEDESTRIAN ADVISORY COMMISSION, AND
SUSTAINABILITY COMMISSION

City Council Study Session
1. Call to Order in Library Program Rooms A & B (Open to the Public)
2. Roll Call
3. Convene to Study Session
   a. Overview of the Horizon 2035 Policies: Draft Land Use and Transportation Element (LUTE)
      of the General Plan and Draft Climate Action Plan (CAP)
      Staff Contact: Gerri Caruso, (408) 730-7591
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

SALUTE TO THE FLAG

ROLL CALL

CLOSED SESSION REPORT FOR NOVEMBER 15, 2011
Closed Session pursuant to Government Code Section 54956.9(b) Conference with Legal Counsel

SPECIAL ORDER OF THE DAY – Board and Commission Oath of Office

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.
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 November 15, 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 11-256 No. 581

Staff Recommendation: Review the attached lists of bills.
Staff Contact: Pete Gonda, (408) 730-7418

1.D. MOTION Appropriation of $20,050 of Library Services and Technology Act (LSTA) Student Projects Using Microsoft Surface Grant Funds and Approval of Budget Modification No. 12

Staff Recommendation: Approve Budget Modification No. 12 to appropriate Library Services and Technology Act Grant Funds in the amount of $20,050.
Staff Contact: Lisa G. Rosenblum, (408) 730-7315

Contracts
1.E. MOTION Award of Bid No. F1109-20 for Morse Avenue Neighborhood Park Development, Fair Oaks Industrial Complex – Building Demolition

Staff Recommendation: Award a contract in the amount of $414,300, to Evans Brothers, Inc., for the subject project, and authorize the City Manager to execute the contract when all necessary conditions are met; and approve a 15% construction contingency in the amount of $62,145.
Staff Contact: Pete Gonda, (408) 730-7418

1.F. MOTION Award of Contract for the Cooperative Purchase of Industrial and Commercial Supplies (F1111-26)

Staff Recommendation: Award a one-year contract, not-to-exceed budgeted amounts, for citywide industrial and commercial supplies, to Grainger, based upon the State of California Western State Contracting Alliance (WSCA) cooperative contract and authorize the City Manager to exercise an option to extend the contract for two additional one-year periods, provided that pricing and service remain acceptable to the City.
Staff Contact: Pete Gonda, (408) 730-7418
1.G. MOTION
RTC 11-261 Award of a Contract for the Design of the Rehabilitation of Anaerobic
Digesters No. 1 and 2 (F1004-100)

Staff Recommendation: Award a contract in an amount not-to-exceed $968,048, to
Kennedy/Jenks Consultants, for the subject project, and authorize the City Manager to
execute the contract when all the necessary conditions have been met; and approve a
15% design contingency in the amount of $145,207.

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

Other Items
1.H. ORDINANCE
2962-11 Adoption of Ordinance No. 2962-11 Awarding Nonexclusive Franchise to
Jatinder Kumar, Doing Business As Classic Cab

Staff Recommendation: Approve the second reading of Ordinance No. 2962-11.

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

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
RESOLUTIONS
RTC 11-255 Notice of Intention to Amend the CalPERS Contract to Provide
20475 (Different Level of Benefits), and 21363.1 (3% @ 55 Full
Formula) Applicable to Local Safety Members Entering Membership for
the First Time in a Safety Classification

Staff Recommendation: Alternative 1: Adopt the Resolution of Intention to amend the contract between the Board of Administration of the California Public Employees’
Retirement System (CalPERS) and the City of Sunnyvale to provide Section 21363.1 (3%
@ 55 Full formula) applicable to Local Safety Members entering membership for the first
time in the safety classification after the effective date of this contract amendment; Section
414(h)(2) of the Internal Revenue code, whereby employee-paid contributions are made on
a pre-tax basis; and adopt the resolution to provide Section 20516 (0% Employee Sharing
Cost of Additional Benefits) applicable to Section 20042 (One-Year Final Compensation) for
Local Safety Members. Provide the introduction and first reading of an Ordinance of the City
Council authorizing such amendment to the contract; and adopt the related resolutions.

Staff Contact: Lisa Velasco, (408) 730-7534

* City Clerk reads the ordinance title. *
3. ORDINANCE RTC 11-253
   Proposed Ordinance Allowing Neighborhood Preservation to More Effectively Address Blighted and Vacant Properties

Staff Recommendation: Alternative 1: Amend Section 9.26.030 of Chapter 9.26 (Abatement of Nuisances) to provide that the following conditions are a nuisance:

a. Any building or structure that is abandoned, partially destroyed, or left in an unreasonable state of partial construction with no active building permits.

b. Vacant buildings, structures, or properties that pose a threat to the health, safety, or general welfare of the community; are poorly maintained; are dilapidated; are unsecured; attract illegal activity, trespassers or malicious mischief; or that constitute an attractive nuisance, fire hazard, or other dangerous condition.

c. Boarded-up structures or buildings not having exterior grade plywood, or similar high quality materials, painted to match the existing and predominant color of the structure and installed to fit the exact doorway or window openings, so as to diminish the effects on surrounding properties.

d. Any condition of blight, nuisance condition, or use of property so out of conformity with the general standards or maintenance of nearby properties as to cause substantial diminution of the enjoyment, use, or property values of nearby properties, as determined by the enforcing officer.

Staff Contact: Christy Gunvalsen, (408) 730-7255

* City Clerk reads the ordinance title. *

4. ORDINANCE RTC 11-258
   Amendment of the Building Code (Title 16) to Require Electric Car Chargers in New Residential Developments (Study Issue)

Staff Recommendation: Adopt the Resolution of Findings Determining the Need of Modification of the Building Codes and the proposed ordinance with an effective date of July 1, 2012 and direct staff to include incentives for electric car chargers to be included in the residential green building program review that is scheduled for the City Council action in April 2012.

Staff Contact: Diana Perkins, (408) 730-7455

* City Clerk reads the ordinance title. *

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 11-260 2010-7148: Retooling the Zoning Code - Title 19 (Information Only)
- Study Session Summary of November 15, 2011 - Discussion of Council 2012 Intergovernmental Relations Assignments
• Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of October 20, 2011
• Draft Minutes of the Board of Library Trustees Meeting of November 7, 2011
• Draft Minutes of the Parks and Recreation Commission Meeting of November 9, 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

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<td>Nov. 29, 2011</td>
<td>Council Meeting</td>
<td>7 p.m.</td>
<td>Council Chambers</td>
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<tr>
<td>Dec. 6, 2011</td>
<td>Council Meeting</td>
<td>7 p.m.</td>
<td>Council Chambers</td>
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### OTHER SCHEDULED MEETINGS

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<tr>
<td>Nov. 28, 2011</td>
<td>Planning Commission Study Session</td>
<td>7 p.m.</td>
<td>West Conference Rm</td>
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<tr>
<td>Nov. 28, 2011</td>
<td>Planning Commission Public Hearing</td>
<td>8 p.m.</td>
<td>Council Chambers</td>
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<td>Nov. 28, 2011</td>
<td>Council Subcommittee on Board and Commission Bylaws Amendments</td>
<td>7 p.m.</td>
<td>Garden Conference Rm</td>
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<td>Nov. 30, 2011</td>
<td>Zoning Administrator Hearing</td>
<td>2 p.m.</td>
<td>West Conference Rm</td>
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<tr>
<td>Dec. 12, 2011</td>
<td>Planning Commission Study Session</td>
<td>7 p.m.</td>
<td>West Conference Rm</td>
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<td>Dec. 14, 2011</td>
<td>Zoning Administrator Hearing</td>
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<td>West Conference Rm</td>
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<td>Dec. 14, 2011</td>
<td>Parks and Recreation Commission</td>
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<td>Dec. 15, 2011</td>
<td>Bicycle and Pedestrian Advisory</td>
<td>6:30 p.m.</td>
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<td>Dec. 21, 2011</td>
<td>Arts Commission</td>
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<td>Dec. 28, 2011</td>
<td>Zoning Administrator Hearing</td>
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<td>West Conference Rm</td>
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<tr>
<td>Jan. 11, 2012</td>
<td>Parks and Recreation Commission</td>
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<td>Jan. 18, 2012</td>
<td>Arts Commission</td>
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<td>Feb. 8, 2012</td>
<td>Parks and Recreation Commission</td>
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<td>Feb 15, 2012</td>
<td>Arts Commission</td>
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### CHANNEL 15 – KSUN
For a complete schedule of KSUN-15 broadcasts, visit KSUN.inSunnyvale.com

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<td>City Council Meeting – Live</td>
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<td>City Council Meeting – Replay of Nov. 29, 2011</td>
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<td>Dec. 4, 2011</td>
<td>City Council Meeting – Replay of Nov. 29, 2011</td>
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<tr>
<td>Dec. 6, 2011</td>
<td>City Council Meeting – Live</td>
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<tr>
<td>Dec. 11, 2011</td>
<td>City Council Meeting – Replay of Dec. 6, 2011</td>
<td>4 p.m.</td>
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