## REVISED NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL**  
**TUESDAY, DECEMBER 13, 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  
      - Public Employee Performance Evaluation – City Manager  
      - Staff Contact: Teri Silva, (408) 730-7495  
4. Adjourn Special Meeting

### 6:30 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. Discussion of Upcoming Selection of 2012-2013 Mayor and 2012 Vice Mayor  
      - Staff Contact: Kathleen Franco Simmons, (408) 730-7474  
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

CLOSED SESSION REPORT FOR DECEMBER 13, 2011
Closed Session pursuant to Government Code Section 54957 - Public Employee Performance Evaluation – City Manager

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 December 6, 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 11-270 No. 584
   Staff Recommendation: Review the attached lists of bills.
   Staff Contact: Pete Gonda, (408) 730-7418

1.D. MOTION Budget Modification No. 20 to Appropriate $30,634 of Office of Traffic Safety Grant Funds for Sobriety Checkpoints
   RTC 11-276 Safety Grant Funds for Sobriety Checkpoints
   Staff Recommendation: Alternative 1: Approve Budget Modification No. 20 to appropriate Office of Traffic Safety Sobriety Checkpoint Grant funds in the amount of $30,634 to a new project – 2011/2012 OTS Sobriety Checkpoints.
   Staff Contact: Ann Durkes, (408) 730-7355

1.E. MOTION Approval of Budget Modification No. 16 to Recognize Grant Funding and Appropriated Grant Funds for Safe Routes to School Bicycle and Pedestrian Transportation Improvement Project
   RTC 11-269
   Staff Recommendation: Alternative 1: Approve Budget Modification No.16 to appropriate $820,000 of the subject grant funding to new project Safe Routes to School and Neighborhood Guided Bike Routes.
   Staff Contact: Heba El-Guendy, (408) 730-2713

1.F. MOTION Approval of Budget Modification No. 18 to Recognize and Appropriate Funding for the Final Planning Phase of the Onizuka / BRAC Project
   RTC 11-277
   Staff Recommendation: Alternative 1: Approve Budget Modification No. 18 to recognize and appropriate $14,500 in revenue from the Foothill-De Anza Community College District and to appropriate $41,600 in City funds to fund staff and legal support and CEQA technical studies and filing fees for the Onizuka BRAC planning process.
   Staff Contact: Hanson Hom, (408) 730-7450
1.G. RESOLUTION RTC 11-263 FY 2010/2011 Annual Status Report on Receipt and Use of Development Impact Fees and Adoption of Resolution Approving Findings Regarding Unspent Fees

Staff Contact: Brice McQueen, (408) 730-7284

Contracts

1.H. MOTION RTC 11-271 Award of Bid No. F1109-21 for Concrete Sidewalk, Curb, Gutter and Driveway Approaches - 2011 CDBG and Approval of Budget Modification No. 17

Staff Recommendation: Award a contract in the amount of $438,500, to JJR Construction, Inc., for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions are met; approve construction contingency in the amount of $83,616; and approve Budget Modification No. 17 to appropriate available CDBG funding for the project.
Staff Contact: Pete Gonda, (408) 730-7418

1.I. MOTION RTC 11-275 Amend an Existing Contract for Capital Project Construction Management and Support Services (F1111-28)

Staff Recommendation: Approve an amendment to an existing contract with CSG Consultants, Inc., extending the contract through December 31, 2012 and increasing the not-to-exceed value by $683,200, from $754,400 to $1,437,600.
Staff Contact: Pete Gonda, (408) 730-7418

1.J. MOTION RTC 11-273 Award of Bid No. F1108-08 for Sunnyvale Downtown Streetscape Improvements and Approval of Budget Modification No. 19

Staff Recommendation: Award a contract in the amount of $1,562,596 to JJR 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 10% construction contingency in the amount of $156,260; and approve Budget Modification No. 19 to provide additional funding for this project.
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
RTC 11-279
2011-7063: SummerHill Homes/Dorothy Miller Family, LP: Appeal of a Decision by the Planning Commission to Deny a Special Development Permit and Vesting Tentative Map for a Mixed Use Project Consisting of 113 Residential Townhouse Units and Approximately 17,302 square feet of Office/Commercial space on 660 - 666 West El Camino Real

Staff Recommendation: Alternative 1: Deny the appeal and adopt the Mitigated Negative Declaration and deny the Special Development Permit and Vesting Tentative Map.
Staff Contact: Ryan Kuchenig, (408) 730-7431

3. MOTION
RTC 11-272

Staff Recommendation: Alternative 1: Receive and file the budgetary Year-End Financial Report, the audited Comprehensive Annual Financial Report, the Memorandum on Internal Control and Required Communications issued by the independent auditors, the Redevelopment Agency Financial Report, and the Sunnyvale Financing Authority Financial Report; and Alternative 2: Approve the set aside and administrative appropriation of $3.7 million from the Budget Stabilization Fund to cover the City’s RDA “opt-in” payment in January, pending the ruling from the State Supreme Court.
Staff Contact: Drew Corbett, (408) 730-7603

4. ORDINANCE
RTC 11-274
Notice of Intention to Amend the CalPERS Contract to Provide 20475 (Different Level of Benefits) and Section 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 CalPERS contract to provide 20475 (Different Level of Benefits) and 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; and Section 414(h)(2) of the Internal Revenue code, whereby employee-paid contributions are made on a pre-tax basis. 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. *

5. ORDINANCE
2965-11
Adoption of Ordinance No. 2965-11 Adding Chapter 5.38 (Plastic Carryout Bags) of Title 5 (Business Licenses and Regulations) of the Sunnyvale Municipal Code Related to Single-Use Carryout Bags

Staff Recommendation: Approve the second reading of Ordinance No. 2965-11.
Staff Contact: David Kahn, (408) 730-7464
6. **ORDINANCE 2966-11**

Adoption of Ordinance No. 2966-11 Amending Certain Sections of Title 19 (Zoning) of the Sunnyvale Municipal Code Relating to Implementation of the Housing and Community Revitalization Sub-Element to Include Provisions for Special Needs Housing; Multi-Family Residential Development Review Procedures; Parking Standards for Senior Housing, Affordable Housing, and Housing for Persons with Disabilities; and Reasonable Accommodation Procedures

Staff Recommendation: Approve the second reading of Ordinance No. 2966-11.

Staff Contact: David Kahn, (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

**ADJOURNMENT TO THE REDEVELOPMENT AGENCY**

**REDEVELOPMENT AGENCY**

**ROLL CALL**

**PUBLIC ANNOUNCEMENTS**

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

**CONSENT CALENDAR**

RDA 1.A. MOTION Approval of Draft Minutes of Regular Meeting of September 20, 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
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RDA 2. MOTION RDA 11-006
Public Hearing to Approve the Midterm Review on the Progress of the Five-Year Implementation Plan for FY 2009/10 - FY 2013/14 for the Central Core Redevelopment Project Area

Staff Recommendation: Alternative 1: Approve the Midterm Review of the Five-Year Implementation Plan for the Central Core Redevelopment Project Area.
Staff Contact: Brice McQueen, (408) 730-7284

ADJOURNMENT TO THE ONIZUKA LOCAL REDEVELOPMENT AUTHORITY

ONIZUKA LOCAL REDEVELOPMENT AUTHORITY

ROLL CALL

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

CONSENT CALENDAR

LRA 1.A. MOTION Approval of Draft Minutes of Regular Meeting of October 4, 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 Authority 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 authority clerk. You will be recognized at the time the item is being considered by the Authority. 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.
2. MOTION  LRA 11-004  Adoption of the Amended Onizuka Air Force Station Redevelopment Plan, Amended Homeless Assistance Submission, Legally Binding Agreement and District Agreement

Staff Recommendation: Alternatives 1, 2, 3 and 4: Approve and direct the City Manager to submit to the Department of the Air Force (AF) and the Department of Housing and Urban Development (HUD) the Amended Onizuka Air Force Station Redevelopment Plan and Amended Homeless Housing Submission. (Attachments A and B); Direct the City Manager to execute the Amended Legally Binding Agreement with MidPen Housing and Charities Housing. (Attachment C); Direct the City Manager to execute a District Agreement with the Foothill-De Anza Community College District (Attachment D); and Adopt the Mitigated Negative Declaration (Attachment H).  
Staff Contact: Hanson Hom, (408) 730-7450

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>Dec. 13, 2011</td>
<td>Council Meeting</td>
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<tr>
<td>Jan. 10, 2012</td>
<td>Council Meeting</td>
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### OTHER SCHEDULED MEETINGS

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<td>Dec. 12, 2011</td>
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<td>Dec. 14, 2011</td>
<td>Zoning Administrator Hearing</td>
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<td>Bicycle and Pedestrian Advisory Commission</td>
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<td>Arts Commission</td>
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<td>Dec. 28, 2011</td>
<td>Zoning Administrator Hearing</td>
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<td>Jan. 9, 2012</td>
<td>Planning Commission Study Session</td>
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<td>Board of Library Trustees</td>
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<td>Zoning Administrator Hearing</td>
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<td>Jan. 11, 2012</td>
<td>Heritage Preservation Commission</td>
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<td>Lobby Conference Rm</td>
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<td>Housing and Human Services</td>
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<td>Jan. 18, 2012</td>
<td>Arts Commission</td>
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<td>Jan. 23, 2012</td>
<td>Planning Commission Study Session</td>
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<td>Zoning Administrator Hearing</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>
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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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