

## NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL  
TUESDAY, JANUARY 31, 2012  
COUNCIL CHAMBERS and WEST CONFERENCE ROOM  
CITY HALL - 456 W. OLIVE AVE.  
SUNNYVALE, CALIFORNIA**

**5:30 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(c)  
Conference with Legal Counsel – Existing Litigation  
Case name: Wachovia Bank vs. Downtown Sunnyvale Residential, LLC, et al., Santa Clara County Superior Court Case No. 1-09-CV-153447
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.*

**CALL TO ORDER** - Call to order in the Council Chambers

**SALUTE TO THE FLAG**

**ROLL CALL**

**CLOSED SESSION REPORT FOR JANUARY 31, 2012**

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

*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.*

**SPECIAL ORDER OF THE DAY** – Ceremonial Oath of Office for Mayor and Vice Mayor

**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 January 10, 2012
- 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 12-020 Nos. 586 - 591

Staff Recommendation: Review the lists of bills.

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

- 1.D. RESOLUTION Declaration of the City Council of the City of Sunnyvale with Respect to  
RTC 12-023 Loan, Advance or Indebtedness Forgiveness

Staff Recommendation: Alternative 1: Approve a Resolution of the City Council of the City of Sunnyvale making a declaration that no loan, advance or indebtedness forgiveness as described in AB 936 occurred during 2010 or 2011.

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

- 1.E. MOTION Approval of Budget Modification No. 21 to Appropriate Office of  
RTC 12-019 Economic Adjustment Grant Funding for Onizuka Air Force Station (AFS)  
Base Realignment and Closure

Staff Recommendation: Alternative 1: Approve Budget Modification No. 21 to appropriate the Office of Economic Adjustment's Redevelopment Plan Amendment Funding and local City match.

Staff Contact: Hanson Hom, (408) 730-7450

**Personnel Items**

- 1.F. RESOLUTIONS Amendment to the Salary Resolution and Classification Plan to Include  
RTC 12-013 the Updated and Re-Titled Classification of Emergency Management  
Coordinator

Staff Recommendation: Alternative 1: Adopt resolutions to amend the City's Classification Plan and Salary Resolution to include the updated and re-titled Emergency Management Coordinator classification that will be come effective on January 11, 2012.

Staff Contact: Karen Woblesky, (408) 730-2715

- 1.G. MOTION Approval of Modification of Sunnyvale Managers Association (SMA) and  
RTC 12-014 Sunnyvale Employees Association (SEA) Units for Senior Engineer  
Classification to Move from SEA to SMA Unit

Staff Recommendation: Alternative 1: Approve the requested unit modification for Sunnyvale Employees Association and Sunnyvale Managers Association moving the classification of Senior Engineer from Sunnyvale Employees Association to Sunnyvale Managers Association. It is further requested that this approval modifies Appendix A in both Memorandum of Understandings to reflect the appropriate designation of Senior Engineer.  
Staff Contact: Teri Silva, (408) 730-7495

### **Contracts**

- 1.H. MOTION Award of Bid No. F1107-07 for Sanitary Sewer Main Lining at Borregas  
RTC 12-018 Avenue Between Ahwanee and Moffett Park

Staff Recommendation: Award a contract in an amount not-to-exceed \$448,473, to Insituform Technologies, Inc., for the subject project, and authorize the City Manager to execute the contract when all necessary conditions have been met; and approve a 10% construction contingency in the amount of \$44,847.  
Staff Contact: Pete Gonda, (408) 730-7418

- 1.I. MOTION Award of Contract for Service Trucks (F1111-30)  
RTC 12-017

Staff Recommendation: Award a contract in the amount of \$149,724 to Downtown Ford Sales for five service trucks.  
Staff Contact: Pete Gonda, (408) 730-7418

- 1.J. MOTION Reject Bid for Repairs of Dual Media Filter (F1109-18)  
RTC 12-016

Staff Recommendation: Reject the bid received in response to Invitation for Bids F1109-18.  
Staff Contact: Pete Gonda, (408) 730-7418

- 1.K. MOTION Award of Contract for a Wastewater Collection System Master Plan  
RTC 12-028 (F1002-80)

Staff Recommendation: Award a contract in the amount of \$731,713 to Infrastructure Engineering Corporation (IEC) for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and approve a 7.5% design contingency in the amount of \$54,587.  
Staff Contact: Pete Gonda, (408) 730-7418

- 1.L. MOTION Award of Bid No. F1108-12 to Provide Replacement Traffic Signal  
RTC 12-022 Equipment and Installation Services at Four (4) City of Sunnyvale  
Intersections

Staff Recommendation: Award a contract in the amount of \$200,826 to the Amland Corporation for traffic signal equipment and installation services at Java Drive and Geneva Avenue, Mathilda and Ahwanee Avenues, and Caribbean Avenue at Twin Creeks Drive; and approve a 10% contingency in the amount of \$20,083.  
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 Cut Through Traffic Analysis for the Kaiser Permanente Santa Clara  
RTC 12-011 Medical Center Facility 2008 Study Issue Follow-up

Staff Recommendation: Alternative 1: Accept the traffic analysis for the Kaiser Santa Clara Medical Facility and take no further action on this issue.  
Staff Contact: Jack Witthaus, (408) 730-7330

3. RESOLUTION Application to Association of Bay Area Governments (ABAG) for  
RTC 12-015 Nomination of Potential Sunnyvale Priority Development Areas

Staff Recommendation: Adopt the resolution supporting the application for five Priority Development Areas (PDAs).  
Staff Contact: Gerri Caruso, (408) 730-7591

4. MOTION Revisions to Council Policy 7.2.19 Boards and Commissions  
RTC 12-010

Staff Recommendation: No recommendation.  
Staff Contact: Kathleen Franco Simmons, (408) 730-7474

### **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 12-027 Board and Commission Semi-Annual Attendance Report (Information Only)
- RTC 12-025 Board/Commission Resignation (Information Only)
- RTC 12-026 Change in Housing Trust Intergovernmental Relations Assignment (Information Only)
- Study Session Summary of January 9, 2012 – Discussion of FPPC Advice Letter, and Modification to Council Policy 7.3.10, Mayor and Vice Mayor Selection
- Draft Minutes of Parks and Recreation Commission Meeting of January 11, 2012
- Draft Minutes of the Heritage Preservation Commission Meeting of January 11, 2012
- Draft Minutes of Housing and Human Services Commission Meeting of January 11, 2012
- Draft Minutes of the Board of Library Trustees Meeting of January 9, 2012
- Draft Minutes of Arts Commission Meeting of December 21, 2011
- Draft Minutes of Bicycle and Pedestrian Advisory Commission Meeting of November 17, 2011

**ADJOURNMENT TO THE ONIZUKA LOCAL REDEVELOPMENT AUTHORITY**

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**ONIZUKA LOCAL REDEVELOPMENT AUTHORITY**

**ROLL CALL**

**CONSENT CALENDAR**

LRA 1.A. MOTION Approval of Draft Minutes of Regular Meeting of December 13, 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.*

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2. MOTION Selection of Onizuka Air Force Station (AFS) Local Redevelopment  
LRA 12-001 Authority (LRA) Officers and Executive Committee Members

Staff Recommendation: Alternative 2: Select a Chairperson and Vice-Chairperson, but do not designate an LRA Executive Committee.

Staff Contact: Hanson Hom, (408) 730-7450

**ADJOURNMENT TO THE REDEVELOPMENT AGENCY**

**REDEVELOPMENT AGENCY**

**ROLL CALL**

**CONSENT CALENDAR**

- RDA 1.A. MOTION Approval of Draft Minutes of Regular Meeting of December 13, 2011
- RDA 1.B. RESOLUTION Declaration of the Redevelopment Agency of the City of Sunnyvale  
RDA 12-001 with Respect to Loan, Advance or Indebtedness Forgiveness

Staff Recommendation: Alternative 1: Approve a Resolution of the Redevelopment Agency of the City of Sunnyvale making a declaration that no loan, advance or indebtedness forgiveness as described in AB 936 occurred during 2010 or 2011.

Staff Contact Brice McQueen, (408) 730-7284

**PUBLIC COMMENTS**

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**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.
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### **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>
Jan. 31, 2012	Council Meeting	7 p.m.	Council Chambers
Feb. 3, 2012	Special Council Meeting – Study Issues and Budget Issues Workshop	8:30 a.m.	Council Chambers
Feb. 7, 2012	Council Meeting	7 p.m.	Council Chambers

**OTHER SCHEDULED MEETINGS**

Feb. 6, 2012	Planning Commission Study Session	7 p.m.	West Conference Rm
Feb. 6, 2012	Planning Commission Public Hearing	8 p.m.	Council Chambers
Feb. 8, 2012	Parks and Recreation Commission	7 p.m.	Sunnyvale Senior Center, Cypress Room
Feb. 15, 2012	Arts Commission	7 p.m.	West Conference Room
Feb. 15, 2012	Zoning Administrator Hearing	2 p.m.	West Conference Rm
Feb. 16, 2012	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conference Rm
Feb. 22, 2012	Housing and Human Services Commission	7 p.m.	West Conference Rm
Feb. 29, 2012	Planning Commission Study Session	7 p.m.	West Conference Rm
Feb. 29, 2012	Planning Commission Public Hearing	8 p.m.	Council Chambers
Feb. 29, 2012	Zoning Administrator Hearing	2 p.m.	West Conference Rm
March 7, 2012	Heritage Preservation Commission	7 p.m.	West Conference Rm
Mar. 14, 2012	Parks and Recreation Commission	7 p.m.	Council Chambers
Mar. 21, 2012	Arts Commission	7 p.m.	Council Chambers
April 11, 2012	Parks and Recreation Commission	7 p.m.	Council Chambers
April 18, 2012	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)

Jan. 31, 2012	City Council Meeting – Live	7 p.m.
Feb. 1, 2012	City Council Meeting – Replay of Jan. 31, 2012	7 p.m.
Feb. 5, 2012	City Council Meeting – Replay of Jan. 31, 2012	4 p.m.
Feb. 7, 2012	City Council Meeting – Live	7 p.m.
Feb. 8, 2012	City Council Meeting – Replay of Feb. 7, 2012	7 p.m.
Feb.12, 2012	City Council Meeting – Replay of Feb. 7, 2012	4 p.m.