

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, FEBRUARY 7, 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(a)
Conference with Legal Counsel – Existing Litigation
Name of case: Cole/Oberg v. Sunnyvale, et al., Court of Appeals Docket No. 11-17459; US District Court Case No. C08-05017 RMW
4. Adjourn Special Meeting

6 P.M. SPECIAL COUNCIL MEETING – JOINT STUDY SESSION WITH PARKS AND RECREATION COMMISSION

City Council Joint Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Study Session
 - a. Consider Park Dedication Policies and Review Project Priorities
Staff Contact: Kent Steffens, (408) 730-7441
4. Public Comment
5. Adjourn Special 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.

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 FEBRUARY 7, 2012

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

SPECIAL ORDER OF THE DAY – Sunnyvale Reads Months

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 31, 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 12-031 592

Staff Recommendation: Review the list of bills.

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

- 1.D. MOTION Appropriation of \$5,845 of California Reads (CA Reads) Grant Funds and
RTC 12-024 Approval of Budget Modification No. 22

Staff Recommendation: Approve Budget Modification No. 22 to appropriate CA Reads Grant Funds in the amount of \$5,845.

Staff Contact: Lisa G. Rosenblum, (408) 730-7315

- 1.E. MOTION City of Sunnyvale Investment Report 4th Quarter 2011
RTC 12-032

Staff Recommendation: Receive and file the investment report.

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

Contracts

- 1.F. MOTION Award of Contract for One Dump Truck (F1111-31)
RTC 12-029

Staff Recommendation: Award a contract in the amount of \$139,288 to Peterson Trucks for one dump truck.

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

- 1.G. MOTION Award of Contract for the Upgrade of the 911 Computer Aided Dispatch
RTC 12-037 (CAD) and Report Management System (RMS) Hardware (F1112-35 and F1112-36) and Authorization to Enter Into a Cost Sharing Agreement with the Town of Los Gatos

Staff Recommendation: Award a contract in the amount of \$439,173, including taxes, to Integrated Archive Systems for the 911 Computer Aided Dispatch (CAD) and Report Management system hardware and related components; and authorize the City Manager to enter into a cost sharing agreement with the Town of Los Gatos for ongoing hardware maintenance and support once the appropriate costs are determined.

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

- 1.H. MOTION Amend an Existing Contract for Construction Management Services for
RTC 12-036 the Mathilda Avenue Overhead Bridge Rehabilitation Project (F1101-41)

Staff Recommendation: Amend an existing contract to HNTB Corporation for construction management services for the Mathilda Avenue Overhead Bridge Rehabilitation Project to increase the total contract value by \$220,000 from \$2,819,425 to \$3,039,425; extend the time for performance to December 31, 2012; and approve a project contingency of \$50,000.

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

Other Items

- 1.I. MOTION Approval of Final Map (Tract No. 10114) – Seventeen-Unit Townhome
RTC 12-030 Development at 1060 Morse Avenue by Toyama Park, L.P.

Staff Recommendation: Approve the final map for Tract No. 10114; authorize the Mayor to sign the subdivision agreement upon: developer's signatures, submittal of improvement securities, payment of development fees, and submittal of other documents deemed necessary by the Director of Public Works; direct the City Clerk to sign the City Clerk's Statement and forward the final map for recordation.

Staff Contact: Eric Gonzalez, (408) 730-7616

- 1.J. MOTION Approval of Second Amendment to Agreement with the Sunnyvale
RTC 12-021 Historical Society and Museum Association

Staff Recommendation: Alternative 1: Approve the proposed Second Amendment to the agreement with the SHSMA.

Staff Contact: Scott Morton, (408) 730-7596

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 2011-7657 - Peery-Arrillaga / A & P Children Invsllc: Application on a 5.2-acre site located at 580 North Mary Avenue in an M-S Zoning District (APN: 165-41-002) for a Use Permit to allow a new 124,095 square foot, 5-story office building resulting in approximately 55% Floor Area Ratio with a new 1.5-story parking structure.

Staff Recommendation: Alternative 1: Adopt the Mitigated Negative Declaration and approve the Use Permit with conditions.

Staff Contact: Mariya Hodge, (408) 730-7659

3. MOTION 2012 Priority Issues and Legislative Advocacy Positions
RTC 12-009

Staff Recommendation: Alternative 1: Approve Attachment A, *Proposed Policy 7.3.2 Including 2012 Priority Issues and Legislative Advocacy Positions* and Attachment B, *2011 Legislative Action Positions Proposed for Modification or Deletion*.

Staff Contact: Coryn Campbell, (408) 730-7475

4. MOTION Revisions to Council Policy 7.2.19 Boards and Commissions – Deferred
RTC 12-010 from January 31, 2012

Staff Recommendation: No recommendation.

Staff Contact: Kathleen Franco Simmons, (408) 730-7474

5. MOTION Amendment to Salary Resolution to Include Provision for Health Benefits
RTC 12-038 Reimbursement for Retired City Employees serving on City Council

Staff Recommendation: Discussion and possible action regarding an amendment to salary resolution to include provision for health benefits reimbursement for retired City employees serving on City Council.

Staff Contact: Teri Silva, (408) 730-7495

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 12-033 Opportunity for Council to Appeal Decisions of the Planning Commission of January 23, 2012 and the Zoning Administrator Hearing of January 25, 2012
- RTC 12-034 Vacancy and Rent Survey (Information Only)
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of January 19, 2012

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
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. 15, 2012	Arts Commission	7 p.m.	West Conference Rm
Feb. 15, 2012	Zoning Administrator Hearing	2 p.m.	West Conference Rm
Feb. 19, 2012	Bicycle and Pedestrian Advisory Commission	6 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 5, 2012	Board of Library Trustees	7 p.m.	Library Program Room
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

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.