

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, MARCH 6, 2012
COUNCIL CHAMBERS and WEST CONFERENCE ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

5:10 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 54957.6
Conference with Labor Negotiator
Negotiators: Teri Silva, Director of Human Resources/Gary Luebbers, City Manager; Communication Officers Association Adjourn Special Meeting
4. Adjourn Special Meeting

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) and (c)
Conference with Legal Counsel – Existing Litigation and Initiation of Litigation
Case name: Wachovia Bank vs. Downtown Sunnyvale Residential, LLC, et al., Santa Clara County Superior Court Case No. 1-09-CV-153447 and one potential case
4. 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 28, 2012

Closed Session pursuant to Govt. Code Section 54956.8 – Conference with Real Property Negotiators

CLOSED SESSION REPORT FOR MARCH 6, 2012

Closed Session pursuant to Government Code Section 54957.6 Conference with Labor Negotiator

CLOSED SESSION REPORT FOR MARCH 6, 2012

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

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 February 28, 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 12-056 No. 596

Staff Recommendation: Review the lists of bills.

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

- 1.D. MOTION Renewal of Business License Tax Data Exchange Agreement with the
RTC 12-053 California Franchise Tax Board

Staff Recommendation: Alternative 1: Adopt a resolution to renew the agreement with the California Franchise Tax Board to exchange business information for the period of June 1, 2012 through December 31, 2014.

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

- 1.E. MOTION Approval of Budget Modification No. 25 to Fund a Capital Project for
RTC 12-057 Conversion from Gaseous Chlorine to Liquid Sodium Hypochlorite for the
Water Pollution Control Plant Disinfection Process

Staff Recommendation: Alternative 1: Approve Budget Modification No. 25 to fund a capital project for conversion from gaseous chlorine to liquid sodium hypochlorite for the Water Pollution Control Plan Disinfection Process.

Staff Contact: Dan Hammons, (408) 730-7287

- 1.F. MOTION Initial Phase of a Project to Construct a Regional Recycled Water Intertie
RTC 12-062 and Approval of Budget Modification No. 28

Staff Recommendation: Alternative 1: Pursue a Recycled Water Regional Intertie to connect Sunnyvale's system to SBWR on the north, and Cal Water service area to the south, and approve Budget Modification No 28 for \$200,000.

Staff Contact: Mansour Nasser, (408) 730-7578

Personnel

- 1.G. RESOLUTION Amendment to the Salary Resolution and Classification Plan to include the
RTC 12-058 Following Classification Title Changes: Senior Environmental Compliance
Inspector; Environmental Compliance Inspector; Collections Specialist;
Traffic Engineering Technician I/II; Water Pollution Control Maintenance
Manager; Treasury Manager; Superintendent of Community Services;
and, Risk Manager

Staff Recommendation: Alternative 1: Adopt resolutions to amend the City's Classification Plan and Salary Resolution to change the classification titles listed within this report that will become effective on March 7, 2012.

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

Contracts

- 1.H. MOTION Reject Proposals to Prepare a Revised Environmental Impact Report
RTC 12-055 (EIR) and Associated Analyses for the Mary Avenue Extension Project
(F1006-118)

Staff Recommendation: Reject all proposals received in response to Request For Proposals F1006-118.

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

- 1.I. MOTION Award of Contract to Provide Playground Equipment for Serra Park
RTC 12-059 Playground (F1003-95)

Staff Recommendation: Award a contract in the amount of \$175,368, to Ross Recreation Equipment Co. to provide playground equipment for Serra Park.

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

Other Items

- 1.J. RESOLUTION Resolution to Amend the Master Fee Schedule for Land Development-
RTC 12-054 Related Transportation Study Preparation and Review

Staff Recommendation: Alternative 1: Approve the resolution establishing fees for Consultant Preparation of Transportation Studies and Staff Review of Transportation Studies prepared by a Consultant.

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

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 Governor Brown's Pension Reform Proposal
RTC 12-060

Staff Recommendation: This report is for Council discussion purposes only. There is no staff recommendation related to the information in this report.

Staff Contact: Drew Corbett, (408) 730-7603

3. MOTION Consider Moving from Odd-Year Elections to Even-Year Elections (Study
RTC 12-051 Issue)

Staff Recommendation: Staff makes 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 12-061 Board/Commission Resignation (Information Only)
- RTC 12-063 Board/Commission Resignation (Information Only)
- RTC 12-064 Inclusion of Councilmembers' Rationale in Minutes (Information Only)
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of February 16, 2012
- Draft Minutes of the Housing and Human Services Commission Meeting of February 22, 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
March 6, 2012	Council Meeting	7 p.m.	Council Chambers
March 20, 2012	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

March 5, 2012	Board of Library Trustees	7 p.m.	Library Program Rm A
March 7, 2012	Special Meeting – Parks and Recreation Commission	7 p.m.	Council Chambers
March 7, 2012	Heritage Preservation Commission	7 p.m.	Lobby Conference Rm
March 12, 2012	Planning Commission Study Session	7 p.m.	West Conference Rm
March 12, 2012	Planning Commission Public Hearing	8 p.m.	Council Chambers
March 14, 2012	Zoning Administrator Hearing	2 p.m.	West Conference Rm
March 14, 2012	CANCELED-Parks and Recreation Commission	7 p.m.	Council Chambers
March 15, 2012	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conference Rm
March 21, 2012	Arts Commission	7 p.m.	Council Chambers
March 26, 2012	Planning Commission Study Session	7 p.m.	West Conference Rm
March 26, 2012	Planning Commission Public Hearing	8 p.m.	Council Chambers
March 27, 2012	Zoning Administrator Hearing	2 p.m.	West Conference Rm
March 28, 2012	Housing and Human Services Commission	7 p.m.	West Conference Rm
April 2, 2012	Board of Library Trustees	7 p.m.	Library Program Rm A
April 11, 2012	Parks and Recreation Commission	7 p.m.	Council Chambers
April 18, 2012	Arts Commission	7 p.m.	Council Chambers
May 9, 2012	Parks and Recreation Commission	7 p.m.	Council Chambers
May 16, 2012	Arts Commission	7 p.m.	Council Chambers
May 23, 2012	Special Joint Study Session with Arts Commission and Parks and Recreation Commission	6 p.m.	Community Center Board Rm
May 23, 2012	Special Joint Meeting with Arts Commission and Parks and Recreation Commission	7 p.m.	Community Center Board Rm

CHANNEL 15 – KSUN

For a complete schedule of KSUN-15 broadcasts, visit KSUN.inSunnyvale.com

March 6, 2012	City Council Meeting – Live	7 p.m.
March 7, 2012	City Council Meeting – Replay of March 6, 2012	7 p.m.
March 11, 2012	City Council Meeting – Replay of March 6, 2012	4 p.m.
March 20, 2012	City Council Meeting – Live	7 p.m.
March 21, 2012	City Council Meeting – Replay of March 20, 2012	7 p.m.
March 25, 2012	City Council Meeting – Replay of March 20, 2012	4 p.m.