

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, APRIL 3, 2012
COUNCIL CHAMBERS and WEST CONFERENCE ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

5 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 54956.8
Conference with Real Property Negotiators
Property: Raynor Activity Center, 1500 Partridge Avenue, Sunnyvale
Agency Negotiators: Gary Luebbers, City Manager; Kent Steffens, Director of Public Works
Negotiation Parties: AppleSeed Montessori, Inc., German International School of Silicon Valley
Negotiation: Price and terms of Lease Agreement
4. Adjourn Special Meeting

6 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. Review of Council Policy 5.1.3: Human Services, and Discussion of Possible Improvements
Staff Contact: Suzanne Ise, (408) 730-7698
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 April 3, 2012

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

SPECIAL ORDER OF THE DAY – Annual Fire Safety Poster Contest Awards

SPECIAL ORDER OF THE DAY – National Volunteer Week

PUBLIC ANNOUNCEMENTS

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

PRESENTATION – Foothill De Anza Community College District – Onizuka Project

CONSENT CALENDAR

- 1.A. MOTION Approval of Council Meeting Minutes of March 20, 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 12-084 Nos. 599 & 600

Staff Recommendation: Review the lists of bills.

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

- 1.D. MOTION Budget Modification No. 30 to Appropriate \$27,018 of Emergency
RTC 12-081 Management Performance Grant Funds from Santa Clara County Office
of Emergency Services

Staff Recommendation: Approve Budget Modification No. 30 to appropriate \$27,018 of
Emergency Management Performance Grant funds from Santa Clara County Office of
Emergency Services.

Staff Contact: Ann Durkes, (408) 730-7355

Contracts

- 1.E. MOTION Increase an Existing Contract for the SMaRT Station® Materials Recovery Facility (MRF) Fines Project (F1103-53)
RTC 12-080

Staff Recommendation: It is recommended that Council increase the existing contract with CalRecovery Inc. by \$63,000, from \$88,000 to \$151,000.

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

- 1.F. MOTION Award of Contract for Engineering Design and Construction Support for Water Line Replacements 2012-13 (#F1111-33)
RTC 12-083

Staff Recommendation: Award a contract in an amount not-to-exceed \$226,032 to Bellecci & Associates, 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% design contingency in the amount of \$22,603.

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

- 1.G. MOTION Award of Contract for Engineering Design and Construction Support Services for Sewer Line Replacement 2012-13 (F1112-38)
RTC 12-085

Staff Recommendation: Award a contract in an amount not-to-exceed \$362,729 to West Yost Associates 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% design contingency in the amount of \$36,273.

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 2011-7502 ARCO/Silicon Valley Fuels: Appeal of a Planning Commission decision to approve a Special Development Permit to allow the sale of beer and wine at an existing ARCO automobile service station convenience store located at 1697 S. Wolfe Rd. in a C-1/PD Zoning District (APN: 309-51-027)
RTC 12-065

Staff Recommendation: Alternative 1: Deny the appeal and uphold the Planning Commission's decision to approve the Special Development Permit with attached conditions.

Staff Contact: Noren Caliva, (408) 730-7637

3. MOTION Discussion and Possible Action Regarding Governor Brown's Pension
RTC 12-079 Reform Proposal

Staff Recommendation: There is no staff recommendation.

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

4. MOTION Recruitment Process for City Attorney and Selection of Interim City
RTC 12-087 Attorney

Staff Recommendation: Approve the recruitment and selection process for the City Attorney and the selection process of the interim City Attorney position.

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

5. ORDINANCE Consideration of Ordinance to Amend the Sunnyvale Municipal Code to
RTC 12-071 include "Back in, Head Out Angle Parking"

Staff Recommendation: Alternative 1: Introduce the Ordinance modifying the Sunnyvale Municipal Code to allow for enforcement of back in, head out angle parking.

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

*** City Clerk reads the ordinance title. ***

6. ORDINANCE Adoption of Ordinance No. 2968-12 to Amend Certain Sections of Title
2968-12 9 (Public Peace, Safety or Welfare) of the Sunnyvale Municipal Code
Related to Regulation of Smoking

Recommendation: Approve the second reading of Ordinance No. 2968-12

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

*** City Clerk reads the ordinance title. ***

7. MOTION 2012 Board and Commission Master Work Plans
RTC 12-082

Staff Recommendation: Alternative 2: Approve the 2012 board and commission master work plans as revised by staff and depicted by Attachment A.

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

8. MOTION Discussion and Possible Action on Measure A: Santa Clara Unified
RTC 12-086 School District May 8, 2012 Special Mail Election

Staff Recommendation: Staff makes no recommendation.

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

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- City Manager

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Final Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of February 16, 2012
- Draft Minutes of the Board of Library Trustees Meeting of March 5, 2012
- Draft Minutes of the Special Parks and Recreation Commission Meeting of March 7, 2012
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of March 15, 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
April 3, 2012	Council Meeting	7 p.m.	Council Chambers
April 24, 2012	Council Meeting	7 p.m.	Council Chambers
May 8, 2012	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

April 2, 2012	Board of Library Trustees	7 p.m.	Library Program Rm
April 9, 2012	Planning Commission Study Session	7 p.m.	West Conference Rm
April 9, 2012	Planning Commission Public Hearing	8 p.m.	Council Chambers
April 11, 2012	Zoning Administrator Hearing	2 p.m.	West Conference Rm
April 11, 2012	Parks and Recreation Commission	7 p.m.	Council Chambers
April 16, 2012	Sustainability Commission	7 p.m.	West Conference Rm
April 18, 2012	Arts Commission	7 p.m.	Council Chambers
April 19, 2012	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conference Rm
April 23, 2012	Planning Commission Study Session	7 p.m.	West Conference Rm
April 23, 2012	Planning Commission Public Hearing	8 p.m.	Council Chambers
April 25, 2012	Zoning Administrator Hearing	2 p.m.	West Conference Rm
April 25, 2012	Housing and Human Services Commission	7 p.m.	West Conference Rm
May 2, 2012	Heritage Preservation Commission	7 p.m.	West Conference Rm
May 7, 2012	Board of Library Trustees	7 p.m.	Library Program Room
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 Room
May 23, 2012	Special Joint Meeting with Arts Commission and Parks and Recreation Commission	7 p.m.	Community Center Board Room

CHANNEL 15 – KSUN

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

April 3, 2012	City Council Meeting – Live	7 p.m.
April 4, 2012	City Council Meeting – Replay of April 3, 2012	7 p.m.
April 8, 2012	City Council Meeting – Replay of April 3, 2012	4 p.m.
April 24, 2012	City Council Meeting – Live	7 p.m.
April 25, 2012	City Council Meeting – Replay of April 24, 2012	7 p.m.
April 29, 2012	City Council Meeting – Replay of April 24, 2012	4 p.m.
May 8, 2012	City Council Meeting – Live	7 p.m.
May 9, 2012	City Council Meeting – Replay of May 8, 2012	7 p.m.
May 13, 2012	City Council Meeting – Replay of May 8, 2012	4 p.m.