

NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL TUESDAY, JANUARY 15, 2013 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 54956.9
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: one case.
4. Adjourn Special Meeting

5:30 P.M. SPECIAL MEETING - JOINT STUDY SESSION WITH PLANNING COMMISSION

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. Lawrence Station Area Plan Phase II: Discussion of recommendations from Citizen Advisory Group on Preferred Land Use Alternative and Circulation Framework
Staff Contact: Andrew Miner, (408) 730-7707
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. 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 JANUARY 15, 2013

*Closed Session pursuant to Government Code Section 54956.9 – Conference with Legal Counsel
– Anticipated Litigation*

SPECIAL ORDER OF THE DAY – Recognition of Outgoing Vice Mayor

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

PUBLIC ANNOUNCEMENTS

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

PRESENTATION – Downtown Streets Team, Chris Richardson (5 minutes)

PRESENTATION – Vision Literacy (15 minutes)

CONSENT CALENDAR

- 1.A. Approval of Council Meeting Minutes of January 8, 2013
- 1.B. Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.C. RTC 13-016 List of Claims and Bills Approved for Payment by the City Manager – List Nos. 639-641

Staff Recommendation: Approve the lists of bills.

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

- 1.D. RTC 13-008 Approval of Budget Modification No. 26 to Appropriate \$35,162 of First 5 Santa Clara County Grant Funds for Library Materials Vending Machine at Columbia Neighborhood Center

Staff Recommendation: Approve Budget Modification No. 26 to appropriate First 5 Santa Clara County funds in the amount of \$35,162 to a new project, Library Materials Vending Machine at Columbia Neighborhood Center.

Staff Contact: Steve Sloan, (408) 730-2768

- 1.E. RTC 13-019 Approval of Budget Modification No. 28 to Appropriate \$16,670 of California Office of Traffic Safety Grant Funds for Avoid the 13 DUI Enforcement

Staff Recommendation: Alternative 1: Approve Budget Modification No. 28 to appropriate \$16,670 of Office of Traffic Safety Avoid the 13 DUI Enforcement Grant funds to a new project, FY 2012/13 Avoid the 13 DUI Enforcement.

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

Contracts

- 1.F. RTC 13-012 Award of Bid No. PW13-08 for Sanitary Sewer Main Replacement 2012-2013

Staff Recommendation: Award a contract, in substantially the same format as the draft attached to the report and in the amount of \$2,678,000, to K.J. Woods 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 \$267,800.

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

- 1.G. RTC 13-011 Award of Contract for Street Tree Maintenance Services (F13-17)

Staff Recommendation: Award a contract, in substantially the same form as the draft blanket purchase order attached to the report, not to exceed \$1,221,175, to West Coast Arborists, and delegate authority to the City Manager to renew the contract for three additional one-year periods, provided pricing and service remain acceptable to the City.

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

- 1.H. RTC 13-018 Award of a Contract for a Supervisory Control and Data Acquisition (SCADA) System Upgrade for the City's Water Supply and Distribution Operations (F1106-73)

Staff Recommendation: Award a contract, in substantially the same format as the draft attached to the report and in the amount of \$458,820 to Glenmount Global Solutions for the subject project, and authorize the City Manager to execute the contract when all necessary conditions have been met; and approve a 10% project contingency in the amount of \$45,882.

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

- 1.I. RTC 13-013 Award of Contract for Electro-Muscular Disruption Technology Devices (Tasers®) for Public Safety (F13-38)

Staff Recommendation: Award a contract, in substantially the same form as the draft Purchase Order attached to the report and in the amount of \$219,508, excluding taxes, to ProForce Law Enforcement for electro-muscular disruption technology devices (Tasers®) and accessories.

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

- 1.J. RTC 13-015 Approval of Amendment to Outside Counsel Agreement with Bertrand, Fox and Elliot for Litigation Advice and Services

Staff Recommendation: Authorize a fifth amendment to increase the contract with the law firm Bertrand Fox & Elliot by \$65,000 for a total not-to-exceed contract amount of \$715,000.

Staff Contact: Joan Borger, (408) 730-7460

Other Items

- 1.K. RTC 13-014 Approval of Final Map (Tract No. 10113) - Fourteen-Unit Single-Family Home Development at 1330 Saratoga-Sunnyvale Road by Berwick Park, L.P.

Staff Recommendation: Approve the final map for Tract No. 10113; authorize the Mayor to sign the subdivision agreement and direct the City Clerk to sign the City Clerk's Statement and forward the final map for recordation.

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

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

No items.

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 13-017 Follow up on July 17, 2012 Meeting Regarding Below Market Rate (BMR) Program Qualifications (Information Only)
- Draft Minutes of the Parks and Recreation Commission Meeting of December 12, 2012
- Draft Minutes of the Sustainability Commission Meeting of December 17, 2012
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Special Meeting of December 17, 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. (28 CFR 35.106 ADA Title II).

GUIDELINES FOR ADDRESSING THE CITY COUNCIL

- Speakers are to turn in a speaker card to the city clerk.
- Speakers are requested to give their name (address is optional).
- Time limit of three minutes per speaker (may be extended at discretion of mayor).

Public Announcements – Beginning of Council Meeting

- 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 Comments

- Any item relevant to the City of Sunnyvale.
- 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). If your subject is not on the 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.

Public Hearing

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 5 minutes.
- Make comments brief and be prepared to provide new input.

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 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
Jan. 29, 2013	Council Meeting	7 p.m.	Council Chambers
Feb. 1, 2013	Council Meeting	8:30 a.m.	Council Chambers
Feb. 12, 2013	Council Meeting	7 p.m.	Council Chambers
Feb. 26, 2013	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS (See boardsandcommissions.inSunnyvale.com for updated meeting information)

Jan. 14, 2013	Zoning Administrator Hearing	2 p.m.	West Conference Rm
Jan. 14, 2013	Planning Commission Study Session	7 p.m.	West Conference Room
Jan. 14, 2013	Planning Commission Public Hearing	8 p.m.	Council Chambers
Jan. 16, 2013	Arts Commission	7 p.m.	Community Center Conference Rm
Jan. 17, 2013	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conference Room
Jan. 22, 2013	Sustainability Commission – Special Meeting	7 p.m.	West Conference Room
Jan. 23, 2013	Parks and Recreation Commission – Special Meeting	7 p.m.	Council Chambers
Jan. 23, 2013	Housing and Human Services Commission - CANCELED	7 p.m.	
Jan. 28, 2013	Zoning Administrator Hearing	2 p.m.	West Conference Rm
Jan. 28, 2013	Planning Commission Study Session	7 p.m.	West Conference Room
Jan. 28, 2013	Planning Commission Public Hearing	8 p.m.	Council Chambers
Feb. 4, 2013	Board of Library Trustees	7 p.m.	Library Program Room B
Feb. 6, 2013	Heritage Preservation Commission (if needed)	7 p.m.	West Conference Room
Feb. 11, 2013	Zoning Administrator Hearing	2 p.m.	West Conference Rm
Feb. 11, 2013	Planning Commission Study Session	7 p.m.	West Conference Room
Feb. 11, 2013	Planning Commission Public Hearing	8 p.m.	Council Chambers

CHANNEL 15 – KSUN

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

Jan. 15, 2013	City Council Meeting – Live	7 p.m.
Jan. 16, 2013	City Council Meeting – Replay of Jan. 15, 2012	7 p.m.
Jan. 20, 2013	City Council Meeting – Replay of Jan. 15, 2012	4 p.m.
Jan. 29, 2013	City Council Meeting – Live	7 p.m.
Jan. 30, 2013	City Council Meeting – Replay of Jan. 29, 2012	7 p.m.
Feb. 3, 2013	City Council Meeting – Replay of Jan. 29, 2012	4 p.m.