

NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL TUESDAY, JUNE 15, 2010 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 54957.6
Conference with Labor Negotiator
Negotiators: Robert Walker, Assistant City Manager/Gary Luebbers, City Manager;
Sunnyvale Public Safety Managers Association
 - b. Closed Session pursuant to Government Code Section 54957
Negotiator: Teri Silva, Human Resources Director
Employees: Gary Luebbers, City Manager; David Kahn, City Attorney
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. Overview of the Draft San Francisco-San Jose Alternatives Analysis Presented by California High Speed Rail Authority Representatives
Staff Contact: Jack Witthaus, (408) 730-7330
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 JUNE 15, 2010

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

SPECIAL ORDER OF THE DAY – Boards and Commissions Oath of Office

PUBLIC ANNOUNCEMENTS

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

CONSENT CALENDAR

- 1.A. MOTION Approval of Draft Special Council Meeting Minutes of May 20, 2010
- 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 10-158 Nos. 506, 507 and 508

Staff Recommendation: Review the attached lists of bills.
Staff Contact: Pete Gonda, (408) 730-7418

- 1.D. MOTION State Proposition 1B Infrastructure Bond Funds - Second Allotment and
RTC 10-154 Revision of First Allotment, and Approval of Budget Modification No. 36

Staff Recommendation: Alternatives 1, 2, and 4: Approve the revised first allocation of Proposition 1B funds; approve the plan for the second allocation of Proposition 1B funds; and approve Budget Modification No. 36, to align the CDBG funded concrete projects to the CDBG Action Plan.
Staff Contact: Mark Rogge, (408) 730-7426

- 1.E. MOTION FY 2009/2010 NOVA Workforce Services Department Expenditure
RTC 10-152 Update and Approval of Budget Modification No. 40

Staff Recommendation: Approve Budget Modification No. 40 to redistribute the \$12,461,721 NOVA Expenditure Budget amongst programs for FY 2009/2010.
Staff Contact: Kris Stadelman, (408) 730-7233

- 1.F. MOTION Appropriation of Department of Homeland Security Training Grant Funds
RTC 10-150 and Approval of Budget Modification No. 39

Staff Recommendation: Approve Budget Modification No. 39 to appropriate the SHSGP funds into a special project to offset costs incurred in FY 2009/2010, as well as to incorporate \$148,356 in SHSGP grant funding into the FY 2010/2011 Budget.

Staff Contact: Lt. Jeff Hunter, (408) 730-7157

- 1.G. MOTION Approval of Budget Modification No. 32 to Appropriate \$500 in federal
RTC 10-145 Library Services and Technology Act (LSTA) Grant funds through the California State Library to Host Children's Bilingual Programs for Día de Los Niños/Día de Los Libros

Staff Recommendation: Approve Budget Modification No. 32 to appropriate \$500 in Library Services and Technology Act (LSTA) funds for Día de Los Niños/Día de Los Libros programming.

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

- 1.H. MOTION Approval of Budget Modification No. 30 to Appropriate \$5,000 in federal
RTC 10-146 Library Services and Technology Act (LSTA) Grant Funds through the California State Library (CSL) for *Enhancement for Programming*

Staff Recommendation: Approve Budget Modification No. 30 to appropriate \$5,000 in Library Services and Technology Act (LSTA) funds for Enhancement for Programming equipment.

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

- 1.I. MOTION Approval of Budget Modification No. 31 to Appropriate \$1,200 in
RTC 10-147 Sunnyvale Rotary Club Grant Funds for a Laptop Computer for Library Children's Services/Homework Center

Staff Recommendation: Approve Budget Modification No. 31 to appropriate \$1,200 in Sunnyvale Rotary Club funds for a Laptop Computer for Children's Services

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

- 1.J. MOTION Approval of Budget Modification No. 27 to Appropriate State Public
RTC 10-148 Library Foundation Monies.

Staff Recommendation: Approve Budget Modification No. 27 to appropriate State Public Library Funds for use in the following special project category: Improvements to Library Services.

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

- 1.K. MOTION Approve Community Development Block Grant (CDBG) Loan Agreement
RTC 10-157 with the Bill Wilson Center for a Loan of \$100,000 to Rehabilitate Peacock Commons Apartments

Staff Recommendation: Approval of the CDBG Loan Agreement between the City and the Bill Wilson Center.

Staff Contact: Suzanne Ise, (408) 730-7698

- 1.L. MOTION Approval of Budget Modification No. 41 to Appropriate Office of
RTC 10-156 Economic Adjustment's Economic Development Conveyance Grant for
Onizuka Air Force Station

Staff Recommendation: Approve Budget Modification No. 41 to appropriate the Office of Economic Adjustment's Economic Development Conveyance Grant for Onizuka Air Force Station.

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

- 1.M. MOTION Approval of Budget Modification No. 38 to Recognize Grant Funding and
RTC 10-149 Appropriate Funds for Project Readiness Initiatives

Staff Recommendation: Approve Budget Modification No. 38 to appropriate up to \$25,000 of the subject grant funding to new project, Project Readiness Initiatives Program.

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

- 1.N. RESOLUTION Adopt a Resolution to Authorize the Filing of the Fiscal Year 2010/11
RTC 10-153 Transportation Development Act Article 3 Application for Pedestrian and
Bicycle Projects

Staff Recommendation: Alternative 1: Adopt the resolution authorizing the filing of a project application with the VTA and MTC for allocation of Transportation Development Act funds for FY 2010/11 for pedestrian/bicycle projects for a Borregas Avenue Bicycle and Pedestrian Improvements Project.

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

Contracts: Sunnyvale Works!

- 1.O. MOTION Award of Sunnyvale Works! Contract for Coating Inspection Services on
RTC 10-159 an "As-Needed" Basis (F0905-99)

Staff Recommendation: It is recommended that Council award a contract in an amount not-to-exceed \$150,000 to West Coast Coating Consultants for tank coating inspection services on an "as-needed" basis.

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

Other

- 1.P. MOTION Approval of Revised Council Policy 7.3.10, *Mayor and Vice Mayor*
RTC 10-162 *Selection*

Staff Recommendation: Approve the policy revisions as presented.

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

STAFF RESPONSES TO PRIOR PUBLIC COMMENTS

Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments.

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 10 minutes for closing comments.***

2. MOTION Annual Public Hearing on FY 2010/2011 Budget and Resource Allocation
RTC 10-160 Plan and Establishment of Appropriations Limit

Staff Recommendation: It is recommended that the Public Hearing be held to meet the legal requirements of the City Charter, the California Constitution, and the California Government Code. Council should provide direction to staff on any issue requiring further review prior to the budget adoption on June 29, 2010.

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

3. RESOLUTION Annual Review of Fees and Charges for Fiscal Year 2010/2011
RTC 10-161

Staff Recommendation: It is recommended that the public hearing be held to meet the requirements of the City Charter and the California Government Code. Council should provide direction to staff on any fee requiring further review prior to the budget adoption on June 29, 2010.

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

4. RESOLUTION Adoption of Proposed FY 2010/2011 Rates for Water, Wastewater and
RTC 10-155 Solid Waste Utilities

Staff Recommendation: Alternative 1: Adopt the attached resolution increasing water rates by 7.5%, wastewater rates by 4.5%, and solid waste rates by 7.5% for FY 2010/2011.

Staff Contact: Tim Kirby, (408) 730-2712

5. RESOLUTION Proposed Charter Amendment for a Directly-Elected Mayor for the
RTC 10-151 November 2, 2010 Election

Staff Recommendation: Staff makes no recommendation on whether or not to propose a Charter amendment changing to a directly-elected mayor. In view of current fiscal challenges and the substantially greater cost of placing the Charter amendment on the November 2010 ballot in contrast to the November 2011 ballot, staff recommends that if Council elects to proceed with the Charter amendment it consider placing it on the November 2011 ballot.

Staff Contact: David Kahn, (408) 730-7460

6. ORDINANCE Adoption of Ordinance No. 2920-10 Amending Certain Sections of Title
No. 2920-10 19 (Zoning) of the Sunnyvale Municipal Code Relating to the Precise
Plan for El Camino Real

Staff Recommendation: Approve second reading of Ordinance No. 2920-10.

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

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Draft Minutes of the Board of Library Trustees Meeting of May 17, 2010
- Draft Minutes of Joint Arts Commission and Parks and Recreation Commission Meeting of May 19, 2010
- Draft Minutes of the Housing and Human Services Commission Meeting of May 26, 2010
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of May 20, 2010

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 35.104 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
June 29, 2010	Council Meeting	7 p.m.	Council Chambers
July 20, 2010	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

June 14, 2010	Planning Commission Study Session	7 p.m.	West Conference Rm
June 14, 2010	Planning Commission Public Hearing	8 p.m.	Council Chamber
June 16, 2010	Administrative Hearing	2 p.m.	West Conference Rm
June 16, 2010	Arts Commission	7 p.m.	Council Chambers
June 28, 2010	Planning Commission Study Session	7 p.m.	West Conference Rm
June 28, 2010	Planning Commission Public Hearing	8 p.m.	Council Chamber
June 30, 2010	Zoning Administrative Hearing	2 p.m.	West Conference Rm
July 12, 2010	Board of Library Trustees	7 p.m.	Council Chambers
July 14, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
July 21, 2010	Arts Commission	7 p.m.	Council Chambers
Aug. 11, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
Aug. 18, 2010	Arts Commission	7 p.m.	Council Chambers
Sept. 8, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
Sept. 15, 2010	Arts Commission	7 p.m.	Council Chambers
Oct. 13, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
Oct. 20, 2010	Arts Commission	7 p.m.	Council Chambers
Nov. 10, 2010	Parks and Recreation Commission	7 p.m.	Council Chambers
Nov. 17, 2010	Arts Commission	7 p.m.	Council Chambers

CHANNEL 15 – KSUN

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

June 15, 2010	City Council Meeting – Live	7 p.m.
June 16, 2010	City Council Meeting – Replay of June 15, 2010	7 a.m.
June 20, 2010	City Council Meeting – Replay of June 15, 2010	4 p.m.