

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, MARCH 20, 2012
COUNCIL CHAMBERS and WEST CONFERENCE ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

5:00 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; Sunnyvale Employees Association
4. Adjourn Special Meeting

6 P.M. SPECIAL COUNCIL MEETING (Study Session)

City Council Study Session

1. Call to Order in the Council Chambers (Open to the Public)
2. Roll Call
3. Convene to Study Session
 - a. Consider Revisions to the Zoning Code for Conversions of Mobile Home Parks to Other Uses (Study Issue)
Staff Contact: Ernie DeFrenchi, (408) 730-2784
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 MARCH 20, 2012

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

SPECIAL ORDER OF THE DAY – National Library Week

SPECIAL ORDER OF THE DAY – Arbor Day

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 March 6, 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 12-075 Nos. 597 & 598

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

- 1.D. MOTION Approval of Budget Modification No. 27 to Appropriate \$20,000 for Land
RTC 12-068 Acquisition Due-Diligence

Staff Recommendation: Alternative 1: Approve a capital project in the amount of \$20,000 for City's due diligence tasks associated with land acquisition, and approve Budget Modification No. 27 to transfer \$20,000 from the Park Dedication Fund.
Staff Contact: Mark Rogge, (408) 730-7426

- 1.E. MOTION Approval of First Amendment to the Trust Agreement between the City of
RTC 12-073 Sunnyvale, PFM Asset Management, LLC, and U.S. Bank National
Association for the Sunnyvale Post-Employment Welfare Benefits
Program

Staff Recommendation: Approve the amendment to the Trust Agreement and authorize
the City Manager to sign it.

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

- 1.F. MOTION Conditional Approval to Convert Bridge Loan of \$2.1 Million to MidPen
RTC 12-069 Housing to Permanent Loan for Rehabilitation of Garland Apartments

Staff Recommendation: Conditionally approve conversion of the bridge loan to a 55-year
residual receipts loan.

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

Personnel

- 1.G. RESOLUTION Adoption of the City of Sunnyvale's Communication Officers Association
RTC 12-078 (COA) Memorandum of Understanding Extension, and Amendment to the
Salary Resolution

Staff Recommendation: Alternative 1: Adopt the City of Sunnyvale's Communication Officer
Association Memorandum of Understanding Extension, and Amendment to the Salary
Resolution.

Staff Contact: Patricia Lord, (408) 730-7526

- 1.H. RESOLUTIONS Amendment to the Salary Resolution and Classification Plan to Add the
RTC 12-077 Newly-Established Classification of Principal Accountant.

Staff Recommendation: Alternative 1: Adopt resolutions to amend the City's Classification
Plan and Salary Resolution to include the newly-established classification of principal
Accountant that will become effective the beginning of the first pay period after March 20,
2012.

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

Contracts

- 1.I. MOTION Award of Contract for Annual Maintenance of the 911 Computer Aided
RTC 12-070 Dispatch (CAD) and Report Management System (RMS) Hardware
(F1102-49)

Staff Recommendation: Award a contract in the amount of \$111,802, including taxes, to
Tiburon, Inc. for annual maintenance for the 911 Computer Aided Dispatch (CAD) and
Report Management system.

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

Other Items

- 1.J. MOTION Annual Review of City's Code of Ethics and Conduct for Elected and
RTC 12-067 Appointed Officials

Staff Recommendation: Alternative 1: Review and approve the 2012 Code of Ethics and Conduct for Elected and Appointed Officials with no changes.
Staff Contact: Lisa Natusch, (408) 730-7483

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 Approval of License Agreement Between Lifetime Tennis, Incorporated
RTC 12-076 and the City of Sunnyvale for the Operations and Management of the
Sunnyvale Tennis Center

Staff Recommendation: Alternative 1: Approve the proposed License Agreement between Lifetime Tennis, Incorporated and the City of Sunnyvale for the Operation and Management of the Sunnyvale Tennis Center.
Staff Contact: Scott Morton, (408) 730-7596

3. ORDINANCE Proposed Amendments to SMC Chapter 9.28 Regulation of Smoking-to
RTC 12-072 Include a Ban on Smoking in Parks and in Outdoor Dining Areas

Staff Recommendation: Alternatives 1 and 2:

1. Amend Chapter 9.28 – Regulation of Smoking, to prohibit smoking in
 - a. Public parks.
 - b. Any location on public property where smoking is not otherwise prohibited by law may be designated by the city manager as a “no smoking” area. Such areas shall be posted with appropriate signage.
 - c. Outdoor dining areas.
 - d. Within twenty (20) feet of any outdoor dining area where smoking is prohibited by this section.
2. Amend and simplify sections of Chapter 9.28 – Regulation of Smoking, because most of the language has been superseded by or is duplicative of state law.

Staff Contact: Christy Gunvalsen, (408) 730-7255

* City Clerk reads the ordinance title. *

4. MOTION 2010-7090 - Creation of a Citizen Advisory Committee (CAC) for the
RTC 12-052 Lawrence Station Area Plan

Staff Recommendation: Alternatives 1 and 2:

1. Authorize a Citizen Advisory Group to act in an advisory capacity on Phase 2 of LSAP, and assist in community outreach efforts. The committee would consist of up to 9 members representing City boards and commissions, residents and businesses, primarily from within the study area.
2. Appoint a Council sub-committee of three City Council members to select the advisory committee.

Staff Contact: Surachita Bose, (408) 730-7443

5. MOTION Council Subcommittee Recommendations Regarding the Community
Event Grant and Neighborhood Grant Distribution Process

Recommendation: Discussion and possible action regarding the Community Event Grant and Neighborhood Grant distribution process.

Contact: Councilmember Martin-Milius, (408) 730-7473

6. MOTION Discussion and Possible Action Regarding AB 1648, Modifying the
RTC 12-074 Political Reform Act of 1974

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
- RTC 12-066 Board/Commission Resignation (Information Only)
- Draft Minutes of the Arts Commission Meeting of February 15, 2012
- Draft Minutes of the Sustainability Commission Meeting of February 21, 2012
- Draft Minutes of the Heritage Preservation Commission Meeting of March 7, 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 20, 2012	Council Meeting	7 p.m.	Council Chambers
April 3, 2012	Council Meeting	7 p.m.	Council Chambers
April 24, 2012	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

March 15, 2012	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conference Rm
March 19, 2012	Personnel Board	5 p.m.	Council Chambers
March 19, 2012	Sustainability Commission	7 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 28, 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
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 24, 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

CHANNEL 15 – KSUN

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

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.
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.