



APPROVED MINUTES

SUNNYVALE HERITAGE PRESERVATION COMMISSION

Wednesday, January 9, 2008 at 7:00 P.M.
Lobby Conference Room, Sunnyvale City Hall
456 West Olive Avenue, Sunnyvale

CALL TO ORDER

ROLL CALL

Present: Chair Rose Kausek, Vice Chair Betty Fussell; Comm. Dawn Hopkins; Comm. Nancy McDonough; Comm. Jeanine Stanek; Comm. Amrit Verma

Absent: Comm. Nirmala Vaidyanathan

Staff: Steve Lynch, Senior Planner; Joey Mariano, Staff Office Assistant

Commissioners voted to excuse Comm. Vaidyanathan absence. Voted 6-0 with Comm. Vaidyanathan absent.

SCHEDULED PRESENTATION

None

PUBLIC ANNOUNCEMENTS (Speakers are limited to 3 minutes for announcements of related Board/Commission events, programs, resignations, recognitions, acknowledgments)

CONSENT CALENDAR

A) Approval of **October 3, 2007** Draft Minutes

Comm. Hopkins motioned to approve the Minutes of October 3, 2007 with modifications. Comm. McDonough seconded. Voted 6-0 with Comm. Vaidyanathan absent.

CITIZENS TO BE HEARD

Kevin Jackson, Citizen and Commissioner for BPAC, stated his concern regarding the memo from the City Attorney dated on November 27, 2007 regarding First Amendment Rights issues related to communications to Council by Board and Commission members (The memo clarified that current Council Policy is not in violation of the Pickering First Amendment balancing test established by the US Supreme Court. While individual members are not permitted to advocate for or address the Council on either the majority or minority views after a valid majority vote of a Board or Commission, they do retain their First Amendment right to speak to Council on any issues or matters not directly related to a matter that has come before or will come before the Board or Commission they serve on.) He noted that the January 29, 2008 City Council meeting is when anyone could speak regarding the new policy. He noted that he is planning to speak to the City Council that evening and urged the Commissions for their support during the meeting. He stated that he feels that, as a Board and Commission member, he should be able to address any concern to the Council as they are representatives of the public.

PUBLIC HEARINGS/GENERAL BUSINESS

NON-AGENDA ITEMS AND COMMENTS

- A) Discussion and Adoption of FINAL 2008 Work Plan

Vice Chair Fussell noted that the July entry should be corrected from 2008 to 2009.

Comm. Hopkins made a motion to adopt the Final Work plan. Comm. Stanek seconded. Motion carried 6-0 with Comm. Vaidyanathan absent.

- B) Review of the Code of Ethics

Comm. McDonough noted that she had a concern about the communication policy.

Mr. Lynch responded.

Comm. Stanek noted a good example was from last night's Council meeting. She noted that the Parks and Recreation Commission had a report before the Council about an agreement with a local school. She noted the Parks and Recreation Commission voted 4-1, and the Parks and Recreation Commission Chair was not present to discuss the item, since the meeting went late that night. She also noted the staff report did not contain the Parks and Recreation Commission's minutes, so there was no record available of the dissenting commissioner's statements. Comm. Stanek stated this is a real issue.

Commissioners further spoke regarding the Council Policy regarding communications.

Commission and staff wished Comm. Hopkins the best as she leaves the Commission to attend Cornell University.

Comm. McDonough asked staff if a business owner within the Murphy District is made aware that their business is located within the Heritage District. Mr. Lynch stated no.

Chair Kausek stated that she noticed graffiti on the Evelyn side of Thai Basil, located on Murphy Avenue. Mr. Lynch noted he will forward the issue to Neighborhood Preservation.

Comm. Stanek thanked Chair Kausek for attending last night's Council meeting to represent the Commission's study issue.

Chair Kausek asked about the next Council meeting when they rank the study issue. She asked if it is open to the public

ADJOURNMENT

The meeting adjourned at 7:50 p.m.

Respectfully Submitted By:

Steve Lynch, Senior Planner

Notice to the Public:

Agendas and associated reports are also available on the City's web site at <http://www.sunnyvale.ca.gov/> or at the Sunnyvale Public Library, 665 W. Olive Ave., Sunnyvale, 72 hours before the meeting. Please contact the Community Development Department's Planning Division office at (408) 730-7440 for specific questions regarding the agenda.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact Debbie Gorman, Administrative Aide at (408) 730-7440. 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)

HERITAGE PRESERVATION COMMISSION SCHEDULED PUBLIC HEARING DATES 2008:

Jan 9	Feb 6*	March 5
April 2*	May 7	June 4*
July 2	Aug 6*	Sept 3
Oct 5*	Nov 5	Dec 3*
Jan 7, 2009		

* *Not a regularly scheduled meeting. Meeting held only if applications are pending or for special business.*

** *Joint Study Session with Planning Commission and City Council *

*** *Special Meeting*

GUIDELINES FOR ADDRESSING THE BOARD OR COMMISSION

Public Announcements – Beginning of Meeting

- 3 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 Board/Commission interest that occur in the City annually. (Only announce one time for the year).

Public Hearings – Order of Hearing as Follows:

- Opening remarks by the applicant (if applicable).
- Speakers are requested to give their name (address is optional).
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable).
- Time limit of 3 minutes per person (to be extended at discretion of Chair). Please make comments brief and be prepared to provide new input.

Citizens to be Heard

- Any item relevant to the Board and/or Commission
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a Speaker Card to the Recording Secretary.
- Items not on the agenda.
- Items that do not fall within the scope of the Public Announcement section.
- Time limit of 3 minutes, 15 minutes total for this category (to be extended or continued to end of Board/Commission business, at the discretion of the Chair). Limit to one appearance during this section.

If you wish to provide the Board/Commission with copies of any handout materials you are presenting, please provide sufficient copies for each Board/Commission member, the Recording Secretary and other staff present.