

NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL
TUESDAY, JANUARY 6, 2009
COUNCIL CHAMBERS, 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA

7 P.M. COUNCIL MEETING

NOTE: Pursuant to Government Code Section 54953, Subdivision (b), the following Council meeting will include teleconference participation by Councilmember Otto Lee from the 2576 Coyote Ridge Terrace, Chula Vista, CA 91915. This Notice and Agenda will be posted at the teleconference location; public comment from such address shall be allowed.

Pursuant to Council Policy, the 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 could be subject to change from date of printing of the agenda to the date of the meeting.

SALUTE TO THE FLAG

ROLL CALL

SPECIAL ORDER OF THE DAY – Presentation of Commemorative Plaque to the City of Sunnyvale from Lockheed Martin Space Systems Company

PUBLIC ANNOUNCEMENTS

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

CONSENT CALENDAR

1.A. MOTION Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

1.B. MOTION List of Claims and Bills Approved for Payment by the City Manager – List
RTC 09–008 No. 432 and 433

Staff Recommendation: Council reviews the attached lists of bills.

Staff Contact: Pete Gonda, (408) 730-7385

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 Chambers on the evening of the Council Meeting, pursuant to Government Code §54957.5.

Personnel

- 1.C. MOTION Adoption of Service Employees International Union, Local 521
RTC 09-006 Memorandum of Understanding 2008-2012 and Amendment of the City's
Contribution for CalPERS Medical Insurance for SEIU Annuitants
(Retirees)

Staff Recommendation:

- Council adopts the Memorandum of Understanding with Service Employees International Union, Local 521
- Council adopts the resolution amending the City's contribution for medical insurance with CalPERS in compliance with the Public Employee's Medical and Hospital Care Act for SEIU retirees; and
- Council adopts related amendments to the Salary Resolution

Staff Contact: Tammy Parkhurst, (408) 730-7498

- 1.D. MOTION Amendment to Agreement for Services Between the City of Sunnyvale
RTC 09-007 and Gary Luebbers, City Manager

Staff Recommendation: Council adopts a resolution revision Section 9 Mortgage Assistance of the Agreement for Services between the City of Sunnyvale and Gary Luebbers to include a provision for a bridge loan, and setting the rate for the home mortgage at 2.769 percent (%).

Staff Contact: Tammy Parkhurst, (408) 730-7498

Other Items

- 1.E. MOTION Acceptance of Annual Status Report on Receipt and Use of
RTC 09-005 Development Impact Fees

Staff Recommendation: Council accepts the annual summary report for the fiscal year ending June 30, 2008.

Staff Contact: Pete Gonda, (408) 730-7385

**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 - Potential Council Study Issues and Budget
RTC 09-003 Issues for Calendar Year 2009

Staff Recommendation: No action is needed at this time. Councilmembers may request new study issues and/or budget issues brought up by the public in the course of the public hearing be developed for review at the Annual Study Issues/Budget Issues Workshop.

Staff Contact: Yvette Agredano, (408) 730-7536

3. MOTION Appointment of Interim Councilmember to Replace Councilmember Lee
RTC 09-004 During Absence Due to Active Military Duty

Staff Recommendation: Council appoints the individual receiving the most votes among those not elected in the 2007 election, Dean Chu, as an interim Councilmember to seat #5 during Councilmember Lee's absence due to active military duty, or 2) Council appoints a different individual to Council seat #5 during Councilmember Lee's absence due to active military duty.

Staff Contact: Robert Walker, (408) 730-7458

4. MOTION 2009 City Council Intergovernmental Relations (IGR) Assignments and
RTC 09-001 Status of Council Sub-committees

Staff Recommendation: Council appoints Councilmembers to intergovernmental relations assignments as identified in this report.

~Appoint Councilmembers to the three vacant positions:

- ABAG General Assembly, Alternate
- Santa Clara County Housing Bond Advisory Committee, Alternate
- Water Emergency Transportation Authority Community Advisory Committee, Alternate

~Ratify intergovernmental Council assignments appointed by outside agencies.

~Authorize Mayor to accept the following appointments, or designate a Councilmember appointee to the following:

- Santa Clara County Cities Association (SCCCA) City Selection Committee
- Military Affairs Council
- Advisory Council to the Council on Aging Silicon Valley
- U.S. Conference of Mayors

~Authorize the Mayor to designate Council voting delegates and alternates for future League of California Cities and National League of Cities conferences.

Staff Contact: Yvette Agredano, (408) 730-7536

5. ORDINANCE NO. 2888-09 Adoption of Ordinance 2888-09 Amending Section 19.18.050 of Chapter 19.18 (Residential Zoning Districts) of Title 19 (Zoning) and Section 1.05.060 of Chapter 1.05 (Administrative Citations) of Title 1 (General Provisions) of the Sunnyvale Municipal Code Related to Automobile/Vehicle Service and Repair in Residential Districts

Staff Recommendation: Council approves the second reading of Ordinance No. 2888-09.
Staff Contact: David Kahn, (408) 730-7464

6. MOTION Selection of Vice Mayor for 2009
RTC 09-002

Staff Recommendation: Council selects a Vice Mayor for 2009, as outlined in Attachment A.

Staff Contact: Katherine Chappellear, (408) 730-7474

7. MOTION 2009-2010 Seating Arrangements for City Council
RTC 09-009

Staff Recommendation: Council determines the seating arrangements for 2009-2010 in accordance with existing Council Policy 7.3.11.

Staff Contact: Katherine Chappellear, (408) 730-7474

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 Parks and Recreation Commission Meeting of December 10, 2008
- Draft Minutes for Housing and Human Services Commission Meeting of December 17, 2008.

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 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.

Planning a presentation for a City Council/Planning Commission meeting?

To assist you in utilizing the technology available in the Council Chambers, the publication "*How to Make Your Council Chambers Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chambers 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
January 6, 2009	Council Meeting	7 p.m.	Council Chambers
January 13, 2009	Council Meeting	7 p.m.	Council Chambers
January 27, 2009	Council Meeting	7 p.m.	Council Chambers
February 3, 2009	Council Meeting	7 p.m.	Council Chambers
February 10, 2009	Council Meeting	7 p.m.	Council Chambers
February 24, 2009	Council Meeting	7 p.m.	Council Chambers
March 3, 2009	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

January 5, 2009	Board of Library Trustees	7 p.m.	Council Chambers
January 12, 2009	Personnel Board	5 p.m.	Council Chambers
January 12, 2009	Planning Commission Study Session	7 p.m.	West Conf. Room
January 12, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
January 14, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
January 14, 2009	Administrative Hearing	2 p.m.	West Conf. Room
January 14, 2009	Heritage Preservation Commission	7 p.m.	West Conf. Room
January 15, 2009	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conf. Room
January 21, 2009	Arts Commission	7 p.m.	Council Chambers
January 26, 2009	Planning Commission Study Session	7 p.m.	West Conf. Room
January 26, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
January 28, 2009	Administrative Hearing	2 p.m.	West Conf. Room
January 28, 2009	Housing & Human Services Commission	7 p.m.	West Conf. Room
February 2, 2009	Board of Library Trustees	7 p.m.	Council Chambers
February 11, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers

CHANNEL 15 – KSUN

January 6, 2009	City Council Meeting - Live	7 p.m.
January 7, 2009	City Council Meeting - Replay of January 6, 2009	7 p.m.
January 11, 2009	City Council Meeting - Replay of January 6, 2009	4 p.m.
January 13, 2009	City Council Meeting - Live	7 p.m.
January 14, 2009	City Council Meeting - Replay of January 13, 2009	7 p.m.
January 18, 2009	City Council Meeting - Replay of January 13, 2009	4 p.m.
January 27, 2009	City Council Meeting - Live	7 p.m.
January 28, 2009	City Council Meeting - Replay of January 27, 2009	7 p.m.
February 1, 2009	City Council Meeting - Replay of January 27, 2009	4 p.m.
February 3, 2009	City Council Meeting - Live	7 p.m.
February 4, 2009	City Council Meeting - Replay of February 3, 2009	7 p.m.
February 8, 2009	City Council Meeting - Replay of February 3, 2009	7 p.m.
February 10, 2009	City Council Meeting - Live	7 p.m.
February 11, 2009	City Council Meeting - Replay of February 10, 2009	7 p.m.
February 15, 2009	City Council Meeting - Replay of February 10, 2009	4 p.m.
February 24, 2009	City Council Meeting - Live	7 p.m.
February 25, 2009	City Council Meeting - Replay of February 24, 2009	7 p.m.
March 1, 2009	City Council Meeting - Replay of February 24, 2009	4 p.m.
March 3, 2009	City Council Meeting - Live	7 p.m.
March 4, 2009	City Council Meeting - Replay of March 3, 2009	7 p.m.
March 8, 2009	City Council Meeting - Replay of March 3, 2009	4 p.m.

