

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, AUGUST 9, 2011
COUNCIL CHAMBERS
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

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

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 July 26, 2011
- 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 11-168 No. 565-566

Staff Recommendation: Review the attached lists of bills.

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

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.

- 1.D. MOTION Carryover of Council Technology Funds from FY 2010/11 to FY 2011/12
RTC 11-165 and Approval of Budget Modification No. 3

Staff Recommendation: Alternative 1: Approve Budget Modification No. 3 to carryover \$8,345 in technology funds in accordance with Council Policy 7.3.13.

Staff Contact: Coryn Campbell, (408) 730-7475

- 1.E. MOTION City of Sunnyvale Investment Report – 2nd Quarter 2011
RTC 11-169

Staff Recommendation: Receive and file the investment report.

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

Other Items

- 1.F. RESOLUTION Participation in the Santa Clara County Abandoned Vehicle Abatement
RTC 11-159 Authority

Staff Recommendation: Alternative 1: Adopt the resolution agreeing to participate in the Santa Clara County Abandoned Vehicle Abatement Authority until April 30, 2022.

Staff Contact: Steve Drewniansy, (408) 730-7123

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 2011 Study Issue FIN 11-02 – Update Fiscal Sub-element Policy Related
RTC 11-167 to Budget Stabilization Fund

Staff Recommendation:

Alternative 1: Update the Budget Stabilization Fund fiscal policy to read:

- The Budget Stabilization Fund will be a minimum of 15% of projected revenues for the first two years of the 20-year planning period.
- Beyond year two, there will be no set maximum or minimum for the Budget Stabilization Fund, and;

Alternative 2: Update the Contingency Reserve fiscal policy to read:

- The General Fund Contingency Reserve will be maintained at 15% of operations costs in year one of the long-term plan, with annual increases based on projected increases in the Consumer Price Index.
- The General Fund Contingency Reserve will only be utilized for non-fiscal emergencies or disasters as determined by Council.

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

3. RESOLUTION Resolution Declaring a Vacancy of City Councilmember Seat No. 6 and
RTC 11-164 Establishing the Process for Filling the Vacancy

Staff Recommendation: Adopt the proposed resolution declaring a vacancy of City Councilmember Seat No. 6 and establishing the process for filling the vacancy
Staff Contact: Kathy Berry, (408) 730-7464

4. MOTION Proposed Response to Santa Clara County Grand Jury Report, Rehiring
RTC 11-166 Pensioners: Bad Policy, Good Business or Both?

Staff Recommendation: Alternative 1: Approve the City's response to the Santa Clara County Civil Grand Jury report as presented in Attachment A.
Staff Contact: Patricia Lord, (408) 730-7526

5. MOTION Update of Council Policy 7.3.6 Managing for Competitiveness
RTC 11-170

Staff Recommendation: Alternative 1: Adopt Attachment B, Council Policy for considering *Service Delivery Options*.
Staff Contact: Robert Walker, (408) 730-7458

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 11-171 Opportunity for Council to appeal decisions of the Planning Commission of July 25, 2011 and the Zoning Administrator Hearing of July 27, 2011
- RTC 11-173 The California Department of Toxic Substances Control (DTSC) Begins Oversight of Soil Remediation for Morse Park (Information Only)
- Draft Minutes from the Parks and Recreation Commission Meeting of July 13, 2011
- Draft Minutes from the Heritage Preservation Commission Meeting of July 13, 2011
- Draft Minutes from the Housing and Human Services Commission Meeting of July 27, 2011

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
Aug. 23, 2011	Council Meeting	7 p.m.	Council Chambers
Sept. 13, 2011	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

Aug. 8, 2011	Planning Commission Study Session	7	p.m.	West Conference Rm
Aug. 8, 2011	Planning Commission Public Hearing	8	p.m.	Council Chambers
Aug. 10, 2011	Zoning Administrator Hearing	2	p.m.	West Conference Rm
Aug. 10, 2011	Parks and Recreation Commission	7	p.m.	Council Chambers
Aug. 17, 2011	Arts Commission	7	p.m.	Council Chambers
Aug. 18, 2011	Bicycle and Pedestrian Advisory Commission	6:30	p.m.	West Conference Rm
Aug. 22, 2011	Planning Commission Study Session	7	p.m.	West Conference Rm
Aug. 22, 2011	Planning Commission Public Hearing	8	p.m.	Council Chambers
Aug. 24, 2011	Zoning Administrator Hearing	2	p.m.	West Conference Rm
Sept. 7, 2011	Heritage Preservation Commission	7	p.m.	Lobby Conference Rm
Sept. 12, 2011	Planning Commission Study Session	7	p.m.	West Conference Rm
Sept. 12, 2011	Planning Commission Public Hearing	8	p.m.	Council Chambers
Sept. 12, 2011	Board of Library Trustees	7	p.m.	Library Program Rm
Sept. 14, 2011	Zoning Administrator Hearing	2	p.m.	West Conference Rm
Sept. 14, 2011	Parks and Recreation Commission	7	p.m.	Council Chambers
Sept. 19, 2011	Sustainability Commission	7	p.m.	West Conference Rm
Sept. 21, 2011	Arts Commission	7	p.m.	Council Chambers
Sept. 28, 2011	Housing and Human Services Commission	7	p.m.	West Conference Rm
Oct. 12, 2011	Parks and Recreation Commission	7	p.m.	Council Chambers
Oct. 19, 2011	Arts Commission	7	p.m.	Council Chambers
Nov. 16, 2011	Parks and Recreation Commission	7	p.m.	Council Chambers
Nov. 21, 2011	Sustainability Commission	7	p.m.	West Conference Rm
Nov. 23, 2011	Arts Commission	7	p.m.	Council Chambers

CHANNEL 15 – KSUN

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

Aug. 9, 2011	City Council Meeting – Live	7	p.m.
Aug. 10, 2011	City Council Meeting – Replay of Aug. 9, 2011	7	p.m.
Aug. 14, 2011	City Council Meeting – Replay of Aug. 9, 2011	4	p.m.
Aug. 23, 2011	City Council Meeting – Live	7	p.m.
Aug. 24, 2011	City Council Meeting – Replay of Aug. 23, 2011	7	p.m.
Aug. 28, 2011	City Council Meeting – Replay of Aug. 23, 2011	4	p.m.