

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, SEPTEMBER 27, 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 September 20, 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 11-211 No. 573

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. RESOLUTION Re-Programming of Federal Transportation Funding from East Channel
RTC 11-214 Trail Project to Downtown Streetscape Project, Approval of Resolution of
Support, and Approval of Budget Modification No. 8

Staff Recommendation: Approve the Resolution of Support committing to complete the Downtown Streetscape Phase II project and stating the City's understanding of the funding process, invalidate previously approved Resolution 467-11 committing to complete the East Channel Trail Project utilizing Federal funds, and approve Budget Modification No. 8 to re-appropriate grant revenues in the amount of \$594,000 from the East Channel Trail project to the new Downtown Streetscape Phase II project as well as appropriate the total required local match of \$149,000 from dedicated local transportation grant matching funds.
Staff Contact: Jack Witthaus, (408)730-7330

- 1.E. MOTION Agreement Between the City of Sunnyvale and Silicon Valley Leadership
RTC 11-210 to Provide Leadership Sunnyvale Training Program

Staff Recommendation: Approve Attachment A, In-Kind Services Agreement between the City of Sunnyvale and SVL; and Attachment B, Outside Group Funding Agreement and authorize the City Manager to enter into said Agreements.
Staff Contact: Coryn Campbell, (408) 730-7475

Personnel

- 1.F. RESOLUTIONS Amendment to the Salary Resolution and Classification Plan to Include
RTC 11-218 the Following Classification Title Changes: Wastewater Collections
Supervisor; Public Works Supervisor; Water Distribution Supervisor;
Wastewater Collections Crew Leader; Public Works Crew Leader; Senior
Maintenance Worker; Senior Wastewater Collections Worker;
Maintenance Worker I/II; Public Safety Maintenance Worker; WPC
Mechanic; Senior WPC Mechanic; Heavy Equipment Operator; WPCP
Division Manager; Solid Waste Programs Division Manager; Parks
Manager; Community Services Manager; Street Operations Manager;
Wastewater Operations Manager; Utility Billing Manager; and, Director of
Environmental Services

Staff Recommendation: Alternative 1: Adopt resolutions to amend the City's Classification Plan and Salary Resolution to change the classification titles that will become effective on September 28, 2011.

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

- 1.G. RESOLUTIONS Amendment to the Salary Resolution and Classification Plan to Include
RTC 11-219 the New and Revised Classifications of Water and Sewer Systems
Division Manager and Regulatory Programs Division Manager

Staff Recommendation: Alternative 1: Adopt resolutions to amend the City's Classification Plan and Salary Resolution to include the following new and revised classifications: Water and Sewer Systems Division Manager and Regulatory Programs Division Manager that will become effective on September 27, 2011.

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

Other Items

- 1.H. RESOLUTION Community Design and Transportation Program Grant Application for
RTC 11-212 Downtown Sunnyvale Gateway Project – Resolution of Support

Staff Recommendation: Alternative 1: Approve the Resolution of Support for Transportation Enhancement Funding through the VTA CDT Program for a Sunnyvale Downtown Gateways project.

Staff Contact: Jack Witthaus (408) 730-7330

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. ORDINANCE Location and Operation of Firearm Sales Businesses (Study Issue)
RTC 11-209

Staff Recommendation: Alternative 1: Amend the code to define “firearm sales business”, prohibit those businesses within 200 feet of a public school, and codify the requirement for a permit from Public Safety.

Staff Contact: Andrew Miner, (408) 730-7707

*** City Clerk reads the ordinance title. ***

3. MOTION Approval of Revision to the Orchard Heritage Park Master Plan
RTC 11-216

Staff Recommendation: Alternative 1: Approve the proposed revised Master Plan of Orchard Heritage Park as depicted by Attachment A.

Staff Contact: Scott Morton, (408) 730-7596

4. MOTION Selection of a Council Representative to Negotiate Representation on the
RTC 11-215 Santa Clara Valley Transportation Authority (VTA) Board of Directors

Staff Recommendation: Alternative 1: Select a representative from the City Council to meet with Santa Clara and Milpitas representatives to select a VTA representation option.

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

5. COUNCIL Report from Campaign Ethics Subcommittee and Possible Action by
DISCUSSION Council

Recommendation: Discussion and possible action.

Contact: Councilmember Moylan, (408) 730-7473

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 11-213 Opportunity for Council to appeal decisions of the Planning Commission of September 12, 2011 and the Zoning Administrator Hearing of September 14, 2011
- RTC 11-217 Board/Commission Resignation (Information Only)
- Draft Minutes from the Bicycle and Pedestrian Advisory Commission Special Meeting of August 18, 2011
- Draft Minutes from the Heritage Preservation Commission Meeting of September 7, 2011
- Draft Minutes from the Board of Library Trustees Meeting of September 12, 2011
- Draft Minutes from the Parks and Recreation Commission Meeting of September 14, 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
Sept. 27, 2011	Council Meeting	7 p.m.	Council Chambers
Oct. 4, 2011	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

Sept. 26, 2011	Planning Commission Study Session	6:45 p.m.	West Conference Rm
Sept. 26, 2011	Planning Commission Public Hearing	8 p.m.	Council Chambers
Sept. 28, 2011	Zoning Administrator Hearing	2 p.m.	West Conference Rm
Sept. 28, 2011	Housing and Human Services Commission	7 p.m.	West Conference Rm
Oct. 3, 2011	Board of Library Trustees	7 p.m.	Library Program Rm
Oct. 10, 2011	Planning Commission Study Session	7 p.m.	West Conference Rm
Oct. 10, 2011	Planning Commission Public Hearing	8 p.m.	Council Chambers
Oct. 12, 2011	Zoning Administrator Hearing	2 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
Oct. 20, 2011	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conference Rm
Oct. 24, 2011	Planning Commission Study Session	7 p.m.	West Conference Rm
Oct. 24, 2011	Planning Commission Public Hearing	8 p.m.	Council Chambers
Oct. 26, 2011	Zoning Administrator Hearing	2 p.m.	West Conference Rm
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
Dec. 14, 2011	Parks and Recreation Commission	7 p.m.	Council Chambers
Dec. 21, 2011	Arts Commission	7 p.m.	Council Chambers

CHANNEL 15 – KSUN

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

Sept. 27, 2011	City Council Meeting – Live	7 p.m.
Sept. 28, 2011	City Council Meeting – Replay of Sept. 27, 2011	7 p.m.
Oct. 2, 2011	City Council Meeting – Replay of Sept. 27, 2011	4 p.m.
Oct. 4, 2011	City Council Meeting – Live	7 p.m.
Oct. 5, 2011	City Council Meeting – Replay of Oct. 4, 2011	7 p.m.
Oct. 9, 2011	City Council Meeting – Replay of Oct. 4, 2011	4 p.m.