

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, NOVEMBER 15, 2011
COUNCIL CHAMBERS and WEST CONFERENCE ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

6:30 P.M. SPECIAL COUNCIL MEETING (Study Session)

City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Study Session
 - a. Discussion of Council 2012 Intergovernmental Relations Assignments
Staff Contact: Coryn Campbell, (408) 730-7475
4. Public Comment
5. Adjourn Special Meeting

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 November 1, 2011
- 1.B. MOTION Approval of Information/Action Items – Council Directions to Staff

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.

Fiscal Items

- 1.C. MOTION Lists of Claims and Bills Approved for Payment by the City Manager –
RTC 11-250 List Nos. 579 and 580

Staff Recommendation: Review the lists of bills.

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

- 1.D. MOTION Approval of Budget Modification No. 2 to Appropriate \$52,134 of
RTC 11-249 California Environmental Protection Agency (CalEPA) Grant Funds for
Compliance with Assembly Bill (AB) 2286 Mandating Electronic
Reporting with the California Environmental Reporting System (CERS)

Staff Recommendation: Alternative 1: Approve Budget Modification No. 2 to appropriate \$52,134 of California Environmental Protection Agency grant funds for development of a local portal and vendor-hosted database to allow reporting to the California Environmental Reporting System.

Staff Contact: Lynne Kilpatrick, (408) 730-7219

- 1.E. MOTION Approval of Budget Modification No. 15 to Recognize and Appropriate
RTC 11-248 Additional Building Permitting Revenue to the Building Safety Program in
the Community Development Department

Staff Recommendation: Approve Budget Modification No. 15 to recognize and appropriate \$180,000 of additional building permitting revenue to the Building Safety Program of the Community Development Department to provide necessary resources to manage the increased construction activity.

Staff Contact: Diana Perkins, (408) 730-7455

Personnel

- 1.F. RESOLUTION Adoption of the City of Sunnyvale's Service Employees International
RTC 11-251 Union (SEIU) Memorandum of Understanding Extension, and
Amendment to the Salary Resolution

Staff Recommendation: Alternative 1: Adopt the City of Sunnyvale's Service Employees International Union, Local 521, Memorandum of Understanding Extension, and Amendment to the Salary Resolution.

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

- 1.G. RESOLUTION Amendment to the Schedule of Pay of the Salary Resolution: Salary
RTC 11-247 Adjustment for Pay Plan Category C (applies to Classified Public Safety
Officers and Lieutenants) and Pay Plan Category D/E (applies to Public
Safety Captains and Public Safety Deputy Chiefs)

Staff Recommendation: Alternative 1: Amend Pay Plan Category C and D/E of the Schedule of Pay of the Salary Resolution to reflect the new pay rates, effective retroactive to July 10, 2011.

Staff Contact: Doug Baker, (408) 730-2705

Contracts

- 1.H. MOTION Award of Contract for Five Crown Victoria Police Vehicles (F1109-17)
RTC 11-254

Staff Recommendation: Award a contract in the amount of \$121,825 for five Crown Victoria police interceptor vehicles to Downtown Ford Sales.

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

Other

- 1.I. ORDINANCE Adoption of Ordinance No. 2961-11 Amending Chapter 16.24 (Uniform
NO. 2961-11 Plumbing Code) of Title 16 (Building and Construction) of the Sunnyvale
Municipal Code, with Certain Amendment Thereto

Staff Recommendation: Approve the second reading of Ordinance No. 2961-11.

Staff Contact: David Kahn, (408) 730-7464

- 1.J. MOTION Approval of Final Map (Tract No. 10095) – Ten Unit Condominiums at
RTC 11-252 628 East Taylor Avenue by City Ventures Homebuilding LLC.

Staff Recommendation: Approve the final map for Tract No. 10095; accept the public street dedication; authorize the Mayor to sign the subdivision agreement upon: developer's signatures, submittal of improvement securities, payment of development fees, and submittal of other documents deemed necessary by the Director of Public Works; direct the City Clerk to sign the City Clerk's statement and to forward the final map for recordation.

Staff Contact: Eric Gonzales, (408) 730-7616

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 Board and Commission Appointments
RTC 11-241

Staff Recommendation: Alternative 1: Consider selecting and appointing a member to serve on the Arts Commission and Heritage Preservation Commission from the candidates listed in this report.

Staff Contact: Lisa Natusch, (408) 730-7595

3. ORDINANCE Renewal of Taxicab Franchise to Jeffrey Browning and Amandeep Kaur
RTC 11-245 Dhillon dba ACME Yellow LLC dba ACME Cab

Staff Recommendation: Alternative 2: Do not introduce or adopt an ordinance renewing a non-exclusive franchise for taxicab service to Jeffrey Browning and Amandeep Kaur Dhillon dba ACME Yellow LLC dba ACME Cab for the period January 20, 2012 through January 19, 2014 per applicants' request.

Staff Contact: Ann Durkes, (408) 730-7355

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

4. ORDINANCE Award of Taxicab Franchise to Jatinder Kumar dba Classic Cab
RTC 11-246

Staff Recommendation: Alternative 1: Introduce and adopt an ordinance awarding a non-exclusive franchise for taxicab service to Jatinder Kumar dba Classic Cab for the period January 21, 2012 through January 20, 2014, per applicant's request and authorize the City Manager to execute necessary documents of agreement.

Staff Contact: Ann Durkes, (408) 730-7355

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

5. ORDINANCE Notice of Intention to Amend the CalPERS Contract to Provide
RTC 11-255 20475 (Different Level of Benefits), and 21363.1 (3% @ 55 Full
Formula) Applicable to Local Safety Members Entering Membership for
the First Time in a Safety Classification

Staff Recommendation: Alternative 1: Adopt the Resolution of Intention to amend the contract between the Board of Administration of the California Public Employees' Retirement System (CalPERS) and the City of Sunnyvale to provide Section 21363.1 (3% @ 55 Full formula) applicable to Local Safety Members entering membership for the first time in the safety classification after the effective date of this contract amendment; Section 414(h)(2) of the Internal Revenue code, whereby employee-paid contributions are made on a pre-tax basis; and adopt the resolution to provide Section 20516 (0% Employee Sharing Cost of Additional Benefits) applicable to Section 20042 (One-Year Final Compensation) for Local Safety Members. Provide the introduction and first reading of an Ordinance of the City Council authorizing such amendment to the contract; and adopt the related resolutions.

Staff Contact: Lisa Velasco, (408) 730-7534

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

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- City Manager

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Study Session Summary of November 1, 2011 – Requiring Electric Car Chargers in New Residential Developments (Study Issue)
- Study Session Summary of November 1, 2011 – Board and Commission Interviews
- Draft Minutes of the Heritage Preservation Commission Meeting of November 2, 2011

ADJOURNMENT TO 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
Public Employee Performance Evaluations
Titles: City Attorney, City Manager
Staff Contact: Teri Silva, (408) 730-7495
 4. Adjourn Closed Session
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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
Nov. 15, 2011	Council Meeting	7 p.m.	Council Chambers
Nov. 29, 2011	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

Nov. 14, 2011	Planning Commission Study Session	7	p.m.	West Conference Rm
Nov. 14, 2011	Planning Commission Public Hearing	8	p.m.	Council Chambers
Nov. 16, 2011	Zoning Administrator Hearing	2	p.m.	West Conference Rm
Nov. 16, 2011	Arts Commission	7	p.m.	Council Chambers
Nov. 16, 2011	Housing and Human Services Commission	7	p.m.	West Conference Rm
Nov. 17, 2011	Bicycle and Pedestrian Advisory Commission	6:30	p.m.	West Conference Rm
Nov. 21, 2011	Sustainability Commission	7	p.m.	West Conference Rm
Nov. 23, 2011	Arts Commission	7	p.m.	Council Chambers
Nov. 28, 2011	Planning Commission Study Session	7	p.m.	West Conference Rm
Nov. 28, 2011	Planning Commission Public Hearing	8	p.m.	Council Chambers
Nov. 30, 2011	Zoning Administrator Hearing	2	p.m.	West Conference Rm
Dec. 12, 2011	Planning Commission Study Session	7	p.m.	West Conference Rm
Dec. 12, 2011	Planning Commission Public Hearing	8	p.m.	Council Chambers
Dec. 14, 2011	Zoning Administrator Hearing	2	p.m.	West Conference Rm
Dec. 14, 2011	Parks and Recreation Commission	7	p.m.	Council Chambers
Dec. 21, 2011	Arts Commission	7	p.m.	Council Chambers
Jan. 11, 2012	Parks and Recreation Commission	7	p.m.	Council Chambers
Jan. 18, 2012	Arts Commission	7	p.m.	Council Chambers

CHANNEL 15 – KSUN

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

Nov. 15, 2011	City Council Meeting – Live	7	p.m.
Nov. 16, 2011	City Council Meeting – Replay of Nov. 1, 2011	7	p.m.
Nov. 20, 2011	City Council Meeting – Replay of Nov. 1, 2011	4	p.m.
Nov. 29, 2011	City Council Meeting – Live	7	p.m.
Nov. 30, 2011	City Council Meeting – Replay of Nov. 15, 2011	7	p.m.
Dec. 4, 2011	City Council Meeting – Replay of Nov. 15, 2011	4	p.m.