

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, DECEMBER 6, 2011
COUNCIL CHAMBERS and WEST CONFERENCE ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

5:15 P.M. SPECIAL COUNCIL MEETING (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 54956.9(b)
Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation: One potential case (Notice of Intent to Litigate dated October 6, 2011, from Save the Plastic Bag Coalition)
4. Adjourn Special Meeting

6 P.M. SPECIAL COUNCIL MEETING (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 Evaluation – City Attorney
Staff Contact: Teri Silva, (408) 730-7495
4. Adjourn Special Meeting

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.

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

CLOSED SESSION REPORT FOR DECEMBER 6, 2011

Closed Session pursuant to Government Code Section 54956.9(b) – Conference with Legal Counsel

CLOSED SESSION REPORT FOR DECEMBER 6, 2011

Closed Session pursuant to Government Code Section 54957 - Public Employee Performance Evaluation – City Attorney

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 29, 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 11-265 Nos. 582 & 583

Staff Recommendation: Review the attached lists of bills.

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

Other Items

- 1.D. MOTION Recommendation to Sunnyvale City Council to Approve Confirmation of
RTC 11-266 New Members to the NOVA Workforce Board

Staff Recommendation: The NOVA Workforce Board Nominating Committee recommends Alternative 1: Confirm Ms. Louise Hofmeister, Ms. Meerah Rajavel and Ms. Margarita Vega for four-year terms on the NOVA Workforce Board.

Staff Contact: Kris Stadelman, (408) 730-7233

- 1.E. ORDINANCE Adoption of Ordinance No. 2963-11 Amending Section 9.26.030 of
2963-11 Chapter 9.26 of Title 9 of the Sunnyvale Municipal Code pertaining to
Abatement of Nuisances.

Staff Recommendation: Approve the second reading of Ordinance No. 2963-11.
Staff Contact: David Kahn, (408) 730-7464

- 1.F. ORDINANCE Adoption of Ordinance No. 2964-11 Amending Chapter 16.43 (Green
2964-11 Building Code) of Title 16 (Building and Construction) of the Sunnyvale
Municipal Code.

Staff Recommendation: Approve the second reading of Ordinance No. 2964-11.
Staff Contact: David Kahn, (408) 730-7464

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 Update/Review Corner Vision Triangle Municipal Code Ordinance –
RTC 11-264 Study Issue

Staff Recommendation: Alternative 1: Direct staff to prepare a revision to the Sunnyvale Municipal Code to include the following provisions related to intersection and driveway sight triangles:

- a. New land developments with 100 or more parking spaces shall be required to adhere to a 40 foot driveway vision triangle standard.
- b. Signalized intersections shall provide no parking zones of 20 feet from curb returns, consistent with the parking restriction standards of the California MUTCD.
- c. Fences, hedges or any other obstructions more than 3.5 feet in height shall be prohibited in vision triangles.
- d. Exceptions to vision triangle requirements shall be allowed for see through fences with fence posts spaced 8 feet apart and not higher than 4.5 feet, one tree with a typical trunk circumference of thirty eight inches and canopy higher than 10 feet at maturity, and buildings at all way stop controlled or signalized intersections located in the El Camino Precise Plan area.
- e. The driveway vision triangle shall be measured from the back of sidewalk or from the property line where no sidewalk exists.

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

3. ORDINANCE Certification of Environmental Impact Report and Adoption of Single-Use
RTC 11-268 Carryout Bag Ordinance

Staff Recommendation: Alternatives 2 and 3: Approve the attached resolution (Attachment C), approve the first reading of the ordinance (Attachment A) with the amount of the mandatory charge set at 10 cents per paper bag, and approve modifying the description of Project 828980 "CEQA for Single-Use Bag Ordinance" to allow any funds remaining in the project to be used for education and outreach to assist with implementation of the ordinance.

Staff Contact: Mark Bowers, (408) 730-7421

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

4. ORDINANCE 2011-7746: Housing and Community Revitalization Sub-element
RTC 11-267 Implementation Measures. Proposed Amendments to Zoning Code
Related to: Special Needs Housing; Multi-family Residential Development
Review Procedures; Parking Standards for Senior Housing, Affordable
Housing, and Housing for Persons with Disabilities; and, Reasonable
Accommodation Procedures.

Staff Recommendation: Alternative 1: Introduce the draft ordinance in Attachment B to amend the Municipal Code to:

- a. Special Needs Housing and Emergency Housing
- b. Multi-family Residential Development Review Procedures
- c. Parking Standards for Senior Housing, Affordable Housing, and Housing for Persons with Disabilities
- d. Reasonable Accommodation Procedures

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

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

5. COUNCIL Consideration of Change to Frequency of Sustainability Commission
DISCUSSION Meetings, Change of Location of Library Board Meetings, and Adoption
of Commission Liaison Policy

Recommendation: Discussion and possible action regarding consideration of change to frequency of Sustainability Commission meetings, change of location of Library Board meetings, and adoption of Commission Liaison Policy

Contact: Vice Mayor Griffith, (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
- Draft Minutes of the Arts Commission Meeting of November 16, 2011
- Draft Minutes of the Housing and Human Services Commission Meeting of November 16, 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
Dec. 6, 2011	Council Meeting	7 p.m.	Council Chambers
Dec. 13, 2011	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

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. 15, 2011	Bicycle and Pedestrian Advisory Commission – Canceled	6:30 p.m.	West Conference Rm
Dec. 21, 2011	Arts Commission	7 p.m.	Council Chambers
Dec. 28, 2011	Zoning Administrator Hearing	2 p.m.	West Conference Rm
Jan. 9, 2012	Planning Commission Study Session	7 p.m.	West Conference Rm
Jan. 9, 2012	Planning Commission Public Hearing	8 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
Feb. 8, 2012	Parks and Recreation Commission	7 p.m.	Council Chambers
Feb. 15, 2012	Arts Commission	7 p.m.	Council Chambers

CHANNEL 15 – KSUN

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

Dec. 6, 2011	City Council Meeting – Live	7 p.m.
Dec. 7, 2011	City Council Meeting – Replay of Dec. 6, 2011	7 p.m.
Dec. 11, 2011	City Council Meeting – Replay of Dec. 6, 2011	4 p.m.
Dec. 13, 2011	City Council Meeting – Live	7 p.m.
Dec. 14, 2011	City Council Meeting – Replay of Dec. 13, 2011	7 p.m.
Dec. 18, 2011	City Council Meeting – Replay of Dec. 13 2011	4 p.m.