

NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL TUESDAY, JANUARY 10, 2012 COUNCIL CHAMBERS and WEST CONFERENCE ROOM 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

GENERAL BUSINESS:

1.A MOTION Approval of Council Meeting Minutes of December 13, 2011

SPECIAL ORDER OF THE DAY

2. RESOLUTION Certification of 2011 Election Results - Council Seats 4, 5, 6, 7 and
RTC 12-001 Ballot Measures A and B

Staff Recommendation: Adopt the Resolution Declaring Canvass of Returns and Results of the General Municipal Election held November 8, 2011.

Staff Contact: Kathleen Franco Simmons, (408) 730-7474

SPECIAL ORDER OF THE DAY – Recognition of outgoing Councilmembers

SPECIAL ORDER OF THE DAY – Recognition of outgoing Vice Mayor

SPECIAL ORDER OF THE DAY – Recognition of outgoing Mayor

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.

SPECIAL ORDER OF THE DAY – Ceremonial Oath of Office for Council-Elect David Whittum – Seat 4, Pat Meyering - Seat 5, Jim Davis - Seat 6, and Tara Martin-Milius - Seat 7

ROLL CALL

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.***

3. MOTION Selection of Mayor for 2012 and 2013
RTC 12-002

Staff Recommendation: Select a member to serve as Mayor in accordance with Council Policy 7.3.10 for the two-year term of calendar years 2012-2013 and until a successor is selected.

Staff Contact: Kathleen Franco Simmons, (730) 730-7474

4. MOTION Selection of Vice Mayor for 2012
RTC 12-003

Staff Recommendation: Select a member to serve as Vice Mayor in accordance with Council Policy 7.3.10 for the one-year term of calendar year 2012 and until a successor is selected.

Staff Contact: Kathleen Franco Simmons, (730) 730-7474

PUBLIC ANNOUNCEMENTS

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

CONSENT CALENDAR

- 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 12-007 No. 585

Staff Recommendation: Review the list of bills.

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

Contracts

- 1.D. MOTION Award of Contract for Janitorial Services (F1110-24)
RTC 12-008

Staff Recommendation: Award a one year contract in an amount not to exceed \$316,816, to Sunnyvale Building Maintenance for janitorial services and approve a contract contingency in the amount of \$15,000 for extra and/or emergency services as necessary.

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

Other Items

- 1.E. ORDINANCE Adoption of Ordinance 2967-12 Authorizing an Amendment to the Contract Between the City of Sunnyvale and the Board of Administration of the California Public Employees' Retirement System (To Provide Section 21363.1 (3% @ 55 Full Formula) For Local Safety Members)

Staff Recommendation: Approve the second reading of Ordinance No. 2967-12.
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 10 minutes for closing comments.***

5. MOTION Annual Public Hearing - Potential Council Study Issues and Budget Issues
RTC 12-005 for Calendar Year 2012

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. A minimum of two Councilmembers is required to sponsor a study issue.

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

6. MOTION 2012 City Council Appointments to Intergovernmental and Internal
RTC 12-006 Assignments, Council Subcommittees, and Community Advisory Task
Forces

Staff Recommendation: Alternatives 1, 2, 3, 4, and 5:

1. Approve appointments by Council to external assignments and ratify appointments by outside agencies as proposed in Attachment A.
2. Identify Council appointments to the following two external assignments:
 - a. LCC Peninsula Division, City Liaison
 - b. Moffett Field Restoration Advisory Board
3. Approve Council Liaison appointments as noted in Attachment B.
4. Identify Council appointments to fill one vacancy on each of the following internal Council committees:
 - a. Committee to Review Board and Commission Bylaws Amendments
 - b. Community Event Grant Distributions Committee
5. Extend the term of the Horizon 2035 Advisory Committee to June 30, 2012.

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

7. MOTION 2012 Seating Arrangements for City Council
RTC 12-004

Staff Recommendation: Determine the seating arrangements for 2012 in accordance with Council Policy 7.3.11.

Staff Contact: Kathleen Franco Simmons, (730) 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
- Study Session Summary of December 13, 2011 – Discussion of Upcoming Selection of 2012-2013 Mayor and 2012 Vice Mayor
- Revised Draft Minutes of Parks and Recreation Commission Meeting of November 9, 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 54956.9(a)
Conference with Legal Counsel – Existing Litigation
Case name: Wachovia Bank vs. Downtown Sunnyvale Residential, LLC, et al., Santa Clara County Superior Court Case No. 1-09-CV-153447
 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 35.104 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 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
Jan. 31, 2012	Council Meeting	7 p.m.	Council Chambers
Feb. 3, 2012	Council Meeting – Study Issues and Budget Issues Workshop	8:30 a.m.	Council Chambers
Feb. 7, 2012	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

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. 9, 2012	Board of Library Trustees	7 p.m.	Library Program Room
Jan. 11, 2012	Zoning Administrator Hearing	2 p.m.	West Conference Rm
Jan. 11, 2012	Heritage Preservation Commission	7 p.m.	Lobby Conference Rm
Jan. 11, 2012	Housing and Human Services Commission	7 p.m.	West Conference Rm
Jan. 11, 2012	Parks and Recreation Commission	7 p.m.	Council Chambers
Jan. 18, 2012	Arts Commission	7 p.m.	Council Chambers
Jan. 19, 2012	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conference Rm
Jan. 23, 2012	Planning Commission Study Session	7 p.m.	West Conference Rm
Jan. 23, 2012	Planning Commission Public Hearing	8 p.m.	Council Chambers
Jan. 25, 2012	Zoning Administrator Hearing	2 p.m.	West Conference Rm
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

Jan. 10, 2012	City Council Meeting – Live	7 p.m.
Jan. 11, 2012	City Council Meeting – Replay of Jan. 10, 2012	7 p.m.
Jan. 15, 2012	City Council Meeting – Replay of Jan. 10, 2012	4 p.m.
Jan. 31, 2012	City Council Meeting – Live	7 p.m.
Feb. 1, 2012	City Council Meeting – Replay of Jan. 31, 2012	7 p.m.
Feb. 5, 2012	City Council Meeting – Replay of Jan. 31, 2012	4 p.m.
Feb. 7, 2012	City Council Meeting – Live	7 p.m.
Feb. 8, 2012	City Council Meeting – Replay of Feb. 7, 2012	7 p.m.
Feb. 12, 2012	City Council Meeting – Replay of Feb. 7, 2012	4 p.m.