

NOTICE AND AGENDA
SUNNYVALE CITY COUNCIL
and
JOINT STUDY SESSION WITH PLANNING COMMISSION
TUESDAY, MAY 15, 2012
COUNCIL CHAMBERS and WEST CONFERENCE ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA

**5:45 P.M. SPECIAL COUNCIL MEETING – JOINT STUDY SESSION
WITH PLANNING COMMISSION
(West Conference Room)**

City Council Study Session

1. Call to Order in the West Conference Room
2. Roll Call
3. Convene to Study Session
 - a. City Council Study Session with Planning Commission: Discussion of Draft East Sunnyvale Precise Plan and Proposed General Plan Amendment and Rezoning
Staff Contact: Shaunn Mendrin, (408) 730-7429
4. Public Comment
5. Adjourn Special Meeting

**7 P.M. COUNCIL MEETING
(Council Chambers)**

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

SPECIAL ORDER OF THE DAY – DPS Special Awards (15 minutes)

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 – Recognition of Foster Care Appreciation Month

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 May 8, 2012
- 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 12-121 No. 606

Staff Recommendation: Review the list of bills

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

- 1.D. MOTION Fleet Services Budget Increase of \$120,000 Due to Increased
RTC 12-119 Operational Costs in Fiscal Year 2011/2012 and Approval of Budget
Modification No. 34

Staff Recommendation: Alternative 1: Approve Budget Modification No. 34 in the amount of \$120,000 to increase the operating budget for Program 763 Provision of Vehicles and Motorized Equipment.

Staff Contact: Tony Vargas, (408) 730-7570

- 1.E. MOTION Approval of Budget Modification No. 36 to Appropriate \$250,000 of Park
RTC 12-126 Dedication Funds For Outside Counsel Services

Staff Recommendation: Approve Budget Modification No. 36 to appropriate \$250,000 of Park Dedication Funds to provide funding for outside litigation services to advise and/or represent the City regarding the litigation in *Building Industry Association vs. City of Sunnyvale*, 1-11-CV-209799

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

Personnel Items

- 1.F. RESOLUTION Amendment to the Salary Resolution and Classification Plan to Add the
RTC 12-123 Newly-Established Classifications of Fire Prevention Specialist I/II; Public
Safety Specialist; and Animal Control Officer

Staff Recommendation: Alternative 1: Adopt resolutions to amend the City's Classification Plan and Salary Resolution to include the newly-established classifications of Fire Prevention Specialist I/II; Public Safety Specialist; and Animal Control Officer.

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

Other Items

- 1.G. MOTION Recommendation to Sunnyvale City Council to Approve Confirmation of
RTC 12-114 New Members to the NOVA Workforce Board

Staff Recommendation: Alternative 1: Confirm Ms. Amber Grewal, Ms. Kimberly Nichols and Mr. Andy Switky to the NOVA Workforce Board

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

- 1.H. MOTION Approval of Final Map (Tract No. 10085) - One Hundred Thirty-Two
RTC 12-117 Residential Condominium Unit Development at 1044 East Duane
Avenue by Taylor Morrison of California LLC

Staff Recommendation: Approve the Final Map for Tract No. 10085; Authorize the Mayor to sign the subdivision agreement; Direct the City Clerk to sign the City Clerk's Statement and forward the final map for recordation.

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

- 1.I. MOTION Ratification of Mayor's Intergovernmental Appointment to U.S
RTC 12-118 Conference of Mayors' Standing Committees

Staff Recommendation: Alternative 1: Ratify the appointment of Mayor Spitaleri to two U.S. Conference of Mayors Standing Committees: Jobs, Education and the Workforce; and International Affairs.

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

- 1.J. MOTION Proposed Revisions to Council Travel Budgets Section of Council Policy
RTC 12-120 7.3.13 Support for Councilmembers; Staff-Council Communications

Staff Recommendation: Alternative 1: Approve the policy revisions.

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

- 1.K. ORDINANCE Adoption of Ordinance No. 2971-12 Awarding Nonexclusive Franchise
2971-12 to Jasraj Bhata (FKA Bikram Singh), Owner of California Cab Company

Staff Recommendation: Council approve the second reading of Ordinance No. 2971-12

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 5 minutes for closing comments.***

2. MOTION 2011-7719 Appeal of a decision of the Planning Commission approving with conditions a Special Development Permit to allow live entertainment (amplified acoustic music) at Da Kine Café located at 153 E. Fremont Avenue.
RTC 12-124

Staff Recommendation: Alternative 1: Grant the appeal and uphold the decision of the Planning Commission to approve the Special Development Permit with conditions, listed in attachment B, adding new Condition of Approval PC-2 regarding signage listing the maximum occupancy and modifying Condition of Approval AT-6 to clarify the participatory entertainment (e.g. karaoke, patron dancing) is not permitted.

Staff Contact: Mariya Hodge, (408) 730-7659

3. MOTION 2012-7045 Appeal of a decision of the Planning Commission denying a Use Permit to allow a large family day care within 300 feet of another large family day care located at 1372 Cordilleras Avenue.
RTC 12-125

Staff Recommendation: Alternative 1: Grant the appeal and approve the Use Permit with conditions.

Staff Contact: Noren Caliva , (408) 730-7637

4. MOTION Taxicabs: Franchises, Regulation and Enforcement (Study Issue)
RTC 12-122

Staff Recommendation: Alternative 1: Direct staff to draft an ordinance to amend SMC Chapter 5.36 with the recommended changes and implement new fees as recommended by DPS.

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

5. Consideration of Change in Terms for Housing & Human Services and Bicycle and Pedestrian Advisory Commissions, and Potential Changes to Council Voting Process for Commissioner Appointments

Recommendation: Discussion and possible action to make revisions to Council Policy 7.2.19 relating to terms for Housing and Human Services and Bicycle and Pedestrian Advisory Commission, and to Council voting process for Commissioner Appointments.

Contact: Councilmember Jim Griffith

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- City Manager

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar

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
May 15, 2012	Council Meeting	7 p.m.	Council Chambers
May 17, 2012	Special Council Meeting-Budget Workshop	8:30 a.m.	Council Chambers
May 22, 2012	Council Meeting	7 p.m.	Council Chambers
June 12, 2012	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

May 16, 2012	Zoning Administrator Hearing	2	p.m.	West Conference Rm
May 16, 2012	Arts Commission	7	p.m.	Council Chambers
May 17, 2012	Bicycle and Pedestrian Advisory Commission	6:30	p.m.	West Conference Rm
May 21, 2012	Sustainability Commission	7	p.m.	West Conference Rm
May 21, 2012	Board of Library Trustees – Special Meeting	7	p.m.	Library Program Rm
May 23, 2012	Special Joint Study Session with Arts Commission and Parks and Recreation Commission	6	p.m.	Community Center Board Rm
May 23, 2012	Special Joint Meeting with Arts Commission and Parks and Recreation Commission	7	p.m.	Community Center Board Rm
May 23, 2012	Housing and Human Services Commission	7	p.m.	West Conference Rm
May 30, 2012	Planning Commission Study Session	7	p.m.	West Conference Rm
May 30, 2012	Planning Commission Public Hearing	8	p.m.	Council Chambers
May 30, 2012	Zoning Administrator Hearing	2	p.m.	West Conference Rm
June 11, 2012	Planning Commission Study Session	7	p.m.	West Conference Rm
June 11, 2012	Planning Commission Public Hearing	8	p.m.	Council Chambers
June 13, 2012	Zoning Administrator Hearing	2	p.m.	West Conference Rm
June 13, 2012	Parks and Recreation Commission	7	p.m.	Council Chambers
June 20, 2012	Arts Commission	7	p.m.	Council Chambers

CHANNEL 15 – KSUN

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

May 15, 2012	City Council Meeting – Live	7	p.m.
May 16, 2012	City Council Meeting – Replay of May 15, 2012	7	p.m.
May 20, 2012	City Council Meeting – Replay of May 15, 2012	4	p.m.
May 17, 2012	City Council Special Meeting – Budget Workshop – Live	8:30	a.m.
May 22, 2012	City Council Meeting – Live	7	p.m.
May 23, 2012	City Council Meeting – Replay of May 22, 2012	7	p.m.
May 27, 2012	City Council Meeting – Replay of May 22, 2012	4	p.m.