

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, JULY 31, 2012
COUNCIL CHAMBERS, WEST CONFERENCE ROOM AND LIBRARY PROGRAM ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

4:30 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(a) and (c) Conference with Legal Counsel – Existing Litigation and Initiation of Litigation
Case name: Wachovia Bank vs. Downtown Sunnyvale Residential, LLC, et al., Santa Clara County Superior Court
Case No. 1-09-CV-153447 and one potential case
4. Adjourn Special Meeting

5:30 P.M. SPECIAL COUNCIL MEETING – JOINT STUDY SESSION WITH BOARD OF LIBRARY TRUSTEES

City Council Study Session

1. Call to Order in the Library Program Room
2. Roll Call
3. Convene to Study Session
 - a. Future Library and Civic Center Facility Options
Staff Contact: Lisa Rosenblum, (408) 730-7315
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 JULY 17, 2012

Closed Session pursuant to Government Code Section 54956.9(a) and (c) Conference with Legal Counsel – Existing Litigation and Initiation of Litigation

PUBLIC ANNOUNCEMENTS

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

PRESENTATION – Overview of the Cities Association of Santa Clara County: Organization, Background and Mission (5 minutes)

CONSENT CALENDAR

- 1.A. MOTION Approval of Council Meeting Minutes of July 17, 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 12-178 Nos. 616-617

Staff Recommendation: Approve the lists of bills.

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

- 1.D. MOTION Appropriation of \$6,000 of Satterberg Foundation Grant Funds and
RTC 12-164 Approval of Budget Modification No. 1

Staff Recommendation: Approve Budget Modification No. 1 to appropriate Satterberg Foundation Grant Funds in the amount of \$6,000.

Staff Contact: Lisa Rosenblum, (408) 730- 7315

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 Personnel Board Appointment
RTC 12-179

Staff Recommendation: Alternative 1: Confirm appointment from the candidates listed in the report.

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

3. RESOLUTION Adoption of a Resolution to Approve the Annual Engineer's Report and
RTC 12-176 to Levy Annual Assessment for The Downtown Parking Maintenance
District Assessment for Fiscal Year 2012-2013

Staff Recommendation: Alternative 1: Adopt the resolution to approve the annual Engineer's Report for FY 2012/13 and to direct the Assessment Engineer to forward the assessment to the County of Santa Clara for inclusion on the property tax rolls.

Staff Contact: Judy Chu, (408) 730-7413

4. ORDINANCE Modifications to the Zoning Code Related to Chapter 19.66: Affordable
RTC 12-182 Housing and Single Room Occupancies (Study Issue CDD 09-12C and
Non-Routine HO-01)

Staff Recommendation: Alternative 1: Adopt the ordinance provided in Attachment B to modify the zoning code related to Below Market Rate Housing Requirements and to move the density bonus and single room occupancy subsections from Chapter 19.66 to other chapters of the zoning code.

Staff Contact: Ernie DeFrenchi, (408) 730-2784

City Clerk reads the Ordinance title.

5. MOTION Authorization for the Purchase, Training and Deployment of Electro-
RTC 12-175 Muscular Disruption Technology Devices (Tasers®) by Public Safety
Employees

Staff Recommendation: Alternative 1: Approve the use of Asset Forfeiture and Supplemental Law Enforcement Services funds to purchase and deploy Tasers® in the Department of Public Safety.

Staff Contact: Dayton Pang, (408) 730-7139

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 12-180 Boards and Commissions Semi-Annual Attendance Report, January - June 2012 (Information Only)
- RTC 12-181 Board and Commission Resignation (Information Only)
- RTC 12-177 Follow-up on Conditions of Approval for Palo Alto Medical Foundation (PAMF) Project (Information Only)
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of July 19, 2012
- Draft Minutes of the Board of Library Trustees Meeting of July 2, 2012
- Draft Minutes of the Arts Commission Meeting of June 20, 2012
- Draft Minutes of the Parks and Recreation Commission Meeting of June 13, 2012

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
July 31, 2012	Council Meeting	7 p.m.	Council Chambers
August 14, 2012	Council Meeting	7 p.m.	Council Chambers
August 28, 2012	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

Aug 1, 2012	Heritage Preservation Commission	7 p.m.	Lobby Conf. Rm.
August 8, 2012	Parks and Recreation Commission	7 p.m.	Council Chambers
Aug 13, 2012	Planning Commission Study Session	7 p.m.	WCR
Aug 13, 2012	Planning Commission Public Hearing	8 p.m.	Council Chambers
August 15, 2012	Arts Commission	7 p.m.	Council Chambers
August 16, 2012	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conference Room
Aug 22, 2012	Housing and Human Services Commission	7 p.m.	West Conference Room
Sept. 10, 2012	Board of Library Trustees	7 p.m.	Library Program Room
Sept. 12, 2012	Parks and Recreation Commission	7 p.m.	Council Chambers
Sept. 19, 2012	Arts Commission	7 p.m.	Council Chambers

CHANNEL 15 – KSUN

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

July 31, 2012	City Council Meeting – Live	7 p.m.
August 1, 2012	City Council Meeting – Replay of July 31, 2012	7 p.m.
August 5, 2012	City Council Meeting – Replay of July 31, 2012	4 p.m.