

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, OCTOBER 2, 2012
COUNCIL CHAMBERS and WEST CONFERENCE ROOM
CITY HALL - 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

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 Appointment
Title: City Attorney
Staff Contact: Teri Silva, (408) 730-7495
 - b. Closed Session pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator; Negotiators: Teri Silva, Director of Human Resources/Gary Luebbers, City Manager; Sunnyvale Employees Association
Staff Contact: Teri Silva, (408) 730-7495
4. 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

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.

CLOSED SESSION REPORT FOR SEPTEMBER 20, 2012

Closed Session pursuant to Government Code Section 54957 – Public Employee Appointment

CLOSED SESSION REPORT FOR SEPTEMBER 25, 2012

Closed Session pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator

CLOSED SESSION REPORT FOR SEPTEMBER 26, 2012

Closed Session pursuant to Government Code Section 54957 – Public Employee Appointment

CLOSED SESSION REPORTS FOR OCTOBER 2, 2012

Closed Session pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator

Closed Session pursuant to Government Code Section 54957 – Public Employee Appointment

SPECIAL ORDER OF THE DAY – Breast Cancer Awareness Month

SPECIAL ORDER OF THE DAY – October is National Arts and Humanities Month

PUBLIC ANNOUNCEMENTS

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

PRESENTATION – Acterra/SPCWC Presentation (6 minutes)

CONSENT CALENDAR

- 1.A. MOTION Approval of Special Council Meeting Minutes of February 3, 2012
- 1.B. MOTION Approval of Special Council Meeting Minutes of May 17, 2012
- 1.C. MOTION Approval of Council Meeting Minutes of September 11, 2012
- 1.D. MOTION Approval of Council Meeting Minutes of September 18, 2012
- 1.E. MOTION Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.F. MOTION List of Claims and Bills Approved for Payment by the City Manager – List
RTC 12-228 No. 625-626

Staff Recommendation: Approve the lists of bills.

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

Contracts

- 1.G. MOTION Authorization to Proceed with the Silicon Valley Regional Communication
RTC 12-232 System (SVRCS) and Approval of Budget Modification No. 14

Staff Recommendation: Approve Budget Modification No. 14; Authorize the City Manager to enter into a reimbursement agreement with the County of Santa Clara, as the Treasurer of the SVRIA, to act as Fiscal Agent and Project Manager to procure interoperable communications equipment in the amount of \$2,518,546 and oversee implementation of the SVRCS Stage 1 system; and approve a project contingency in the amount of \$320,310.

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

Personnel

- 1.H. RESOLUTION Amendment to the Salary Resolution and Classification Plan to Include the
RTC 12-237 Following Classification Title Changes: Library Circulation Manager;
Superintendent of Public Works Operations; Golf Operations Manager;
Community Services Coordinator I/II; Storekeeper I/II; and to add the
Newly-Established Classification of Assistant Director of Finance

Staff Recommendation: Alternative 1: Adopt resolutions to amend the City's Classification Plan and Salary Resolution as detailed within the report and reflected by Attachments A and B.

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

- 1.I. RESOLUTION Amendment of the City's Contribution for CalPERS Medical Insurance for
RTC 12-236 Management, SEA and SEIU Annuitants (Retirees)

Staff Recommendation: Alternative 1: Adopt the resolution amending the City's contribution for medical insurance with CalPERS in compliance with PEMHCA, and to amend the Salary Resolution to reflect the change in contribution for Management, SEA and SEIU annuitants.

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

Other

- 1.J. RESOLUTION Adoption of a Resolution to Vacate a 10-foot Wide Public Utility Easement
RTC 12-227 Upon Removal of Existing Facilities at 1060 Morse Avenue

Staff Recommendation: Alternative 1: Adopt the resolution vacating a 10-foot wide PUE upon removal of existing facilities at 1060 Morse Avenue; and authorize the City Clerk to cause a certified copy of the resolution to be recorded with the county recorder's office.

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 2012-7115 – Cultural Heritage of Sunnyvale (Study Issue)
RTC 12-234

Staff Recommendation: Continue this item to October 16, 2012.
Staff Contact: Diana O'Dell, (408) 730-7257

3. MOTION 2012-7111 – Pedestrian Plan for ITR 6
RTC 12-235

Staff Recommendation: Alternative 1: Adopt the Fair Oaks Junction Sense of Place Plan.
Staff Contact: Shaunn Mendrin, (408) 730-7429

4. MOTION Introduction of an Ordinance of the City Council of the City of Sunnyvale
RTC 12-229 to Amend Certain Sections of Titles 9, 10, 13, 18 and 19 of The
 Sunnyvale Municipal Code Relating to Corner, Driveway and Alleyway
 Vision Triangles

Staff Recommendation: Alternative No. 2: Introduce an updated ordinance amending Titles 9, 10, 13, 18 and 19 of the Sunnyvale Municipal Code to address corner, driveway and vision triangles including provision of 15 foot by 40 foot vision triangle requirements at primary entry and exit driveways for new development with 100 or more parking spaces.
Staff Contact: Jack Witthaus, (408) 730-7330

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

5. MOTION Positions on State and Local Ballot Measures for the November 6, 2012
RTC 12-226 Election

Staff Recommendation: Alternative 1: Adopt the following positions on the ballot measures:
State Ballot Measures:
Proposition 30 – Temporary Taxes to Fund Education. Guaranteed Local Public Safety Funding. Initiative Constitutional Amendment: **Support**
Proposition 31 – State Budget. State and Local Government. Initiative Constitutional Amendment and Statute: **Oppose**
Proposition 34 – Death Penalty. Initiative Statute: **Take No Position**
Proposition 35 – Human Trafficking. Penalties. Initiative Statute: **Support**
Proposition 40 – Redistricting. State Senate Districts. Referendum: **Take No Position**
Local Ballot Measures:
Measure B – Safe, Clean Water Program: **Support**
Staff Contact: Yvette Blackford, (408) 730-7475

6. ORDINANCE Adoption of Ordinance No. 2980-12 to Amend Section 19.22.035 of Title
NO. 2980-12 19 (Zoning) of the Sunnyvale Municipal Code

Staff Recommendation: Approve the second reading of Ordinance No. 2980-12.

Staff Contact: Michael Martello, (408) 730-7464

7. MOTION Council Policy Governing Meeting Protocol
RTC 12-233

Staff Recommendation: Staff makes no recommendation.

Staff Contact: Robert Walker, (408) 730-7458

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 12-231 Branch Library Update #1 (Information Only)
- Study Session Summary of September 18, 2012 – Energy Power Reliability for Moffett Park Area
- Study Session Summary of September 25, 2012 – Joint Meeting with Sunnyvale School District Board of Education
- Draft Minutes of the Sustainability Commission Meeting of August 20, 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
Oct. 16, 2012	Council Meeting	7 p.m.	Council Chambers
Oct. 30, 2012	Council Meeting	7 p.m.	Council Chambers
Nov. 13, 2012	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

Oct. 8, 2012	Planning Commission Study Session	7 p.m.	West Conference Room
Oct. 8, 2012	Planning Commission Public Hearing	8 p.m.	Council Chambers
Oct. 10, 2012	Parks and Recreation Commission	7 p.m.	Community Center Conference Room
Oct. 15, 2012	Sustainability Commission	7 p.m.	West Conference Room
Oct. 17, 2012	Arts Commission	7 p.m.	Community Center Conference Room
Oct. 18, 2012	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conference Room
Oct. 22, 2012	Planning Commission Study Session	7 p.m.	West Conference Room
Oct. 22, 2012	Planning Commission Public Hearing	8 p.m.	Council Chambers
Oct. 24, 2012	Housing and Human Services Commission	7 p.m.	West Conference Room

CHANNEL 15 – KSUN

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

October 2, 2012	City Council Meeting – Live	7 p.m.
October 2, 2012	City Council Meeting – Replay	7 p.m.
October 7, 2012	City Council Meeting – Replay	4 p.m.