

DRAFT MINUTES*
SUNNYVALE CITY COUNCIL
TUESDAY, JULY 27, 2010

CALL TO ORDER

Mayor Hamilton called the meeting to order in the Council Chambers.

SALUTE TO THE FLAG

Mayor Hamilton led the salute to the flag.

ROLL CALL

PRESENT:

Mayor Melinda Hamilton
Vice Mayor Christopher Moylan
Councilmember Otto Lee
Councilmember Ron Swegles
Councilmember Anthony (Tony) Spitaleri
Councilmember David Whittum
Councilmember Jim Griffith

ABSENT:

None.

STAFF PRESENT:

City Manager Gary Luebbers
Assistant City Manager Robert Walker
City Attorney David Kahn
Acting Director of Finance Grace Leung
Deputy Chief Dayton Pang
Director of Public Works Marvin Rose
Director of Community Development Hanson Hom
City Clerk Kathleen Franco Simmons

CLOSED SESSION REPORT FOR JULY 27, 2010

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

Vice Mayor Moylan reported direction was given and no action was taken.

SPECIAL ORDER OF THE DAY – The Public Safety Officers Association (PSOA) presented a fund-raising check from PSOA to the Muscular Dystrophy Association.

PUBLIC ANNOUNCEMENTS

None.

PRESENTATION – Vaishali Angal provided a presentation regarding Leadership Sunnyvale.

CONSENT CALENDAR

MOTION: Vice Mayor Moylan moved and Councilmember Swegles seconded the motion to approve the Consent Calendar.

VOTE: 7 - 0

- 1.A. MOTION Approval of Council Meeting Minutes of July 20, 2010
- 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 10-197 No. 514

Staff Recommendation: Review the attached lists of bills.

Contracts

- 1.D. MOTION Modify an Existing Contract for Janitorial Services (F1007-02)
RTC 10-199

Staff Recommendation: Extend existing contract in an amount not to exceed \$148,407, to Sunnyvale Building Maintenance for janitorial services; authorize the City Manager to extend the contract for an additional one year period if pricing and service remain acceptable to the City; and approve a contract contingency in the amount of \$5,000 for extra and/or emergency services as necessary.

- 1.E. MOTION Amend an Existing Contract with Smith Emery Company for General
RTC 10-200 Construction Inspection and Testing Services (F1007-04)

Staff Recommendation: Amend the existing contract with Smith Emery Company, extend the contract by one year and increase the not to exceed value from \$50,000 to \$250,000, an increase of \$200,000.

- 1.F. MOTION Amend an Existing Contract with Consolidated Engineering Laboratories
RTC 10-201 for General Construction Inspection and Testing Services (F1007-05)

Staff Recommendation: Amend the existing contract with Consolidated Engineering Laboratories, extend the contract by one year, and increase the not to exceed value from \$174,000 to \$374,000, an increase of \$200,000.

Other Items

- 1.G. ORDINANCE Adoption of Ordinance No. 2923-10 Amending Section 1.05.110 of Chapter
2923-10 1.05 (Administrative Citations) of Title 1 (General Provisions) of the
Sunnyvale Municipal Code Related to Placement of Unpaid Administrative
Citations on the County of Santa Clara Property Tax Roll

Staff Recommendation: Approve second reading of Ordinance No. 2923-10.

Public hearing opened at 7:58 p.m.

Ajay Changaran, applicant, requested the item be deferred for two weeks.

Bruce MacLean stated the property has unique characteristics as an industrial property and encouraged Council to keep it in its industrial state. MacLean provided written materials to Council.

Public hearing closed at 8:03 p.m.

MOTION: Vice Mayor Moylan moved and Councilmember Swegles seconded the motion to continue this matter to August 10, 2010.

VOTE: 7 - 0

4. RESOLUTION Notice of Public Hearing - Cause Charges for Non-Payment of Utility
RTC 10-189 Services to be Placed on the FY 2010/2011 Tax Roll

Revenue Systems Supervisor Tim Kirby presented the staff report.

Public hearing opened at 8:06 p.m.

No speakers.

Public hearing closed at 8:06 p.m.

MOTION: Vice Mayor Moylan moved and Councilmember Swegles seconded the motion to approve Alternative 1: Adopt the resolution causing charges for non-payment of utility services to be placed on the FY 2010/2011 tax roll.

VOTE: 7 - 0

5. RESOLUTION Public Hearing - Collection of Wastewater Charges for Properties
RTC 10-194 Outside the City on the Fiscal Year 2010/2011 Property Tax Roll

Revenue Systems Supervisor Tim Kirby presented the staff report.

Public hearing opened at 8:08 p.m.

No speakers.

Public hearing closed at 8:08 p.m.

MOTION: Councilmember Swegles moved and Councilmember Spitaleri seconded the motion to approve Alternative 1.

VOTE: 7 - 0

Councilmember Swegles clarified the motion:

MOTION: Councilmember Swegles moved and Councilmember Spitaleri seconded the motion to approve Alternative 1: Adopt the resolution approving the proposed assessments.

VOTE: 7 - 0

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

None.

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- RTC 10-198 Opportunity for Council to Appeal Decisions of the Planning Commission of July 12, 2010
- Draft Minutes of the Heritage Preservation Commission meeting of July 7, 2010

ADJOURNMENT

Mayor Hamilton adjourned the meeting at 8:11 p.m.