

**DRAFT MINUTES\***  
**SUNNYVALE CITY COUNCIL SPECIAL MEETING**  
**COUNCIL STUDY ISSUES AND BUDGET ISSUES WORKSHOP**  
**FRIDAY, JANUARY 28, 2011**

**CALL TO ORDER**

Mayor Hamilton called the meeting to order at 8:30 a.m.

**SALUTE TO THE FLAG**

Mayor Hamilton led the salute to the flag.

**ROLL CALL**

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

**ABSENT:** None.

**STAFF PRESENT:** City Manager Gary Luebbers  
Assistant City Manager Robert Walker  
City Attorney David Kahn  
Director of Finance Grace Leung  
Director of Public Safety Don Johnson  
Director of Public Works Marvin Rose  
Intergovernmental Relations Officer Yvette Blackford  
Budget Analyst Drew Corbett  
City Clerk Kathleen Franco Simmons  
Director of Community Development Hanson Hom  
Director of Libraries Lisa Rosenblum  
Director of Human Resources Teri Silva  
Director of Information Technology Cuong Nguyen  
Director of NOVA Kris Stadelman

**PUBLIC COMMENTS:**

None.

## **FISCAL OUTLOOK PRESENTATION**

City Manager Gary Luebbers provided introductory remarks.

Director of Finance Grace Leung, Budget Manager Drew Corbett and Director of Public Works Marvin Rose provided the Fiscal Outlook presentation.

## **OVERVIEW OF THE STUDY ISSUES/BUDGET ISSUES WORKSHOP PROCESS**

Intergovernmental Relations Officer Yvette Blackford provided an overview and facilitated the process of ranking study issues.

## **STUDY ISSUES: REVIEW, DISCUSSION, AND PRIORITY SETTING**

### **Office of the City Manager**

Councilmember Griffith moved and Councilmember Whittum seconded the motion to drop Study Issue OCM 09-01.

SHOW OF HANDS VOTE: 7 - 0

Councilmember Griffith moved and Councilmember Whittum seconded the motion to drop Study Issue OCM 11-01.

SHOW OF HANDS VOTE: 3 - 4 (Councilmembers Lee, Spitaleri, Hamilton, Swegles dissented)  
MOTION FAILED.

Councilmember Lee moved and Councilmember Swegles seconded the motion to defer Study Issue OCM 11-01.

SHOW OF HANDS VOTE: 7 - 0

### **Community Development Department**

Councilmember Whittum moved and Councilmember Swegles seconded the motion to drop Study Issue CDD 09-04.

SHOW OF HANDS VOTE: 4 - 3 (Councilmembers Lee, Griffith, Moylan dissented)

Vice Mayor Griffith moved and Councilmember Moylan seconded the motion to drop Study Issue CDD 09-05.

SHOW OF HANDS VOTE: 4 - 3 (Councilmembers Hamilton, Whittum, Swegles dissented)

Councilmember Swegles moved and Councilmember Spitaleri seconded the motion to drop Study Issue CDD 09-07.

SHOW OF HANDS VOTE: 7 - 0

Councilmember Moylan moved and Councilmember Swegles seconded the motion to drop Study Issue CDD 09-08.

SHOW OF HANDS VOTE: 5 - 2 (Councilmembers Lee and Whittum dissented)

Councilmember Griffith moved and Councilmember Lee seconded the motion to defer Study Issue CDD 09-11.

SHOW OF HANDS VOTE: 7 - 0

Councilmember Moylan moved and Councilmember Whittum seconded the motion to drop Study Issue CDD 10-07.

SHOW OF HANDS VOTE: 6 - 1 (Councilmember Swegles dissented)

Councilmember Spitaleri moved and Councilmember Swegles seconded the motion to drop Study Issue CDD 11-01.

SHOW OF HANDS VOTE: 2 - 5 (Councilmember Lee, Vice Mayor Griffith, Mayor Hamilton, Councilmembers Moylan and Whittum dissented)

MOTION FAILED.

Councilmember Spitaleri moved and Vice Mayor Griffith seconded the motion to defer Study Issue CDD 11-02.

SHOW OF HANDS VOTE: 5 - 2 (Councilmembers Moylan and Whittum dissented)

Councilmember Swegles moved and Councilmember Moylan seconded the motion to drop Study Issue CDD 11-03.

SHOW OF HANDS VOTE: 5 - 2 (Councilmembers Lee and Whittum dissented)

Councilmember Moylan moved and Councilmember Swegles seconded the motion to broaden Study Issue CDD 11-04 to include any store that sells guns.

SHOW OF HANDS VOTE: 7 - 0

Councilmember Moylan moved and Councilmember Swegles seconded the motion to drop Study Issue CDD 11-06.

SHOW OF HANDS VOTE: 7 - 0

Intergovernmental Relations Officer Blackford announced four issues left to rank one to four, in order of priority, with one being the highest priority: CDD 10-06, CDD 11-01, CDD 11-04, CDD 11-07.

Council ranked the four study issues and the ranking sheets were collected by Intergovernmental Relations Officer Blackford to be tallied.

Council recessed for a break at 10:49 a.m.

Council reconvened at 11:05 a.m. with all present.

#### Department of Public Works

MOTION: Councilmember Moylan moved and Councilmember Swegles seconded the motion to defer Study Issue DPW 09-01.

SHOW OF HANDS VOTE: 5 - 2 (Councilmember Lee and Mayor Hamilton dissented)

MOTION: Councilmember Swegles moved and Councilmember Griffith seconded the motion to defer Study Issue DPW 09-02.

SHOW OF HANDS VOTE: 2 - 5 (Councilmember Lee, Councilmember Spitaleri, Mayor Hamilton, Councilmembers Moylan and Whittum dissented)

MOTION FAILED.

MOTION: Councilmember Griffith moved and Councilmember Swegles seconded the motion to defer Study Issue DPW 09-04.

SHOW OF HANDS VOTE: 5 - 2 (Councilmembers Moylan and Whittum dissented)

MOTION: Councilmember Whittum recused himself from voting on DPW 09-05 as his residence is within 500 feet of the right-of-way, and left the Council Chambers.

MOTION: Councilmember Griffith moved and Councilmember Swegles seconded the motion to drop Study Issue DPW 09-05.

SHOW OF HANDS VOTE: 6 - 0 - 1 (Councilmember Whittum recused)

Councilmember Whittum returned to the dais.

MOTION: Councilmember Swegles moved and Councilmember Spitaleri seconded the motion to drop Study Issue DPW 09-07.

SHOW OF HANDS VOTE: 3 - 4 (Councilmember Lee, Mayor Hamilton, Councilmembers Moylan and Whittum dissented)

MOTION FAILED.

MOTION: Councilmember Lee moved and Councilmember Swegles seconded the motion to defer Study Issue DPW 09-07.

SHOW OF HANDS VOTE: 5 - 2 (Councilmembers Moylan and Whittum dissented)

MOTION: Councilmember Spitaleri moved and Councilmember Swegles seconded the motion to modify Study Issue DPW 10-09 to make it contingent on industry financing the consultant study.

MODIFICATION of MOTION: Councilmember Spitaleri modified the motion that the study process is to direct the city manager and economic development coordinator to meet with members of Moffett Park Business and Transportation Association regarding the issues and concerns and determine if they want to proceed forward.

RESTATED MOTION: Mayor Hamilton restated the motion: to proceed with direction to the city manager to have discussions with members of Moffett Business Park to determine their level of interest in pursuing a consultant study on power options and dealing with the power issue at Moffett Park in steps toward doing a study issue, and to receive a report back with the budget on whether funding is needed.

SHOW OF HANDS VOTE: 5 - 2 (Councilmembers Moylan and Whittum dissented)

MOTION: Councilmember Spitaleri moved and Councilmember Swegles seconded the motion to drop Study Issue DPW 11-04.

SHOW OF HANDS VOTE: 4 - 3 (Councilmember Lee, Vice Mayor Griffith and Councilmember Whittum dissented)

MOTION: Councilmember Spitaleri moved and Mayor Hamilton seconded the motion to defer Study Issue DPW 11-06.

SHOW OF HANDS VOTE: 2 - 5 (Councilmember Lee, Vice Mayor Griffith, Councilmembers Moylan, Whittum and Swegles dissented)

MOTION FAILED.

MOTION: Vice Mayor Griffith moved and Councilmember Swegles seconded the motion to drop Study Issue DPW 11-07.

SHOW OF HANDS VOTE: 4 - 3 (Councilmembers Lee, Moylan and Whittum dissented)

MOTION: Vice Mayor Griffith moved and Councilmember Swegles seconded the motion to drop Study Issue DPW 11-09.

SHOW OF HANDS VOTE: 3 - 4 (Councilmember Lee, Mayor Hamilton, Councilmembers Moylan and Whittum dissented)

MOTION FAILED.

MOTION: Vice Mayor Griffith moved and Mayor Hamilton seconded the motion to defer Study Issue DPW 11-09.

SHOW OF HANDS VOTE: 4 - 3 (Councilmembers Lee, Moylan, Whittum dissented)

MOTION: Vice Mayor Griffith moved and Mayor Hamilton seconded the motion to defer Study Issue DPW 11-10.

Vice Mayor Griffith withdrew the motion and recused himself from voting on DPW 11-10 due to the proximity of his residence. Vice Mayor Griffith left the Council Chambers.

MOTION: Councilmember Spitaleri moved and Mayor Hamilton seconded the motion to defer Study Issue DPW 11-10.

SHOW OF HANDS VOTE: 2 - 4 - 1 (Councilmembers Lee, Moylan, Whittum, Swegles dissented, Councilmember Griffith recused)

MOTION FAILED.

Vice Mayor Griffith returned to the dais.

Intergovernmental Relations Officer Blackford announced five issues to rank one to four, in order of priority, with one being the highest priority: DPW 09-02, DPW 10-09, DPW 11-01, DPW 11-06, DPW 11-10.

Council ranked the five study issues and the ranking sheets were collected by Intergovernmental Relations Officer Blackford to be tallied.

Council recessed for lunch at 12:44 p.m.

Council reconvened at 1:30 p.m. with all present.

### TIE BREAKS

Intergovernmental Relations Officer Blackford reported a tie between DPW 09-02 and DPW 11-10 for fourth and fifth position and conducted a vote in favor of DPW 09-02 to be in fourth position.

SHOW OF HANDS VOTE: 4 – 3 (Councilmembers Lee, Whittum, Swegles dissented)

Intergovernmental Relations Officer Blackford announced DPW 09-02 would be in fourth position and DPW 11-10 would be in fifth position.

### STUDY ISSUES: REVIEW, DISCUSSION, AND PRIORITY SETTING (CONTINUED)

Department of Community Services

MOTION: Councilmember Swegles moved and Vice Mayor Griffith seconded the motion to defer Study Issue DCS 09-01.

SHOW OF HANDS VOTE: 6 - 1 (Councilmember Moylan dissented)

MOTION: Councilmember Swegles moved and Vice Mayor Griffith seconded the motion to drop Study Issue DCS 11-02.

SHOW OF HANDS VOTE: 5 - 2 (Councilmembers Moylan and Whittum dissented)

Intergovernmental Relations Officer Blackford announced DCS 11-01 is the only issue that was not dropped or deferred, therefore it will default to priority one.

Finance

MOTION: Councilmember Moylan moved and Councilmember Whittum seconded the motion to drop Study Issue FIN 11-01.

FRIENDLY AMENDMENT: Councilmember Whittum offered a friendly amendment to modify the motion from drop to modify the study issue to exclude transfers from the General Fund.

Councilmember Moylan accepted the friendly amendment.

SHOW OF HANDS VOTE: 2 - 5 (Councilmembers Lee and Spitaleri, Vice Mayor Griffith, Mayor Hamilton and Councilmember Swegles dissented)

MOTION FAILED.

MOTION: Councilmember Spitaleri moved and Vice Mayor Griffith seconded the motion to drop Study Issue FIN 11-03.

SHOW OF HANDS VOTE: 4 - 3 (Councilmembers Moylan, Whittum and Swegles dissented)

Intergovernmental Relations Officer Blackford announced two issues to rank: FIN 11-01 and FIN 11-02.

Council ranked the two study issues and the ranking sheets were collected by Intergovernmental Relations Officer Blackford to be tallied.

REVIEW OF BUDGET ISSUES

Budget Manager Drew Corbett provided a review of the budget issues.

MOTION: Councilmember Lee moved and Vice Mayor Griffith seconded the motion to drop Budget Issue # 1.

SHOW OF HANDS VOTE: 3 - 4 (Mayor Hamilton, Councilmembers Moylan, Whittum and Swegles dissented)

MOTION FAILED.

MOTION: Councilmember Moylan moved and Councilmember Whittum seconded the motion to defer Budget Issue # 1.

SHOW OF HANDS VOTE: 7 - 0

MOTION: Councilmember Moylan moved and Vice Mayor Griffith seconded the motion to refer Budget Issue # 2.

SHOW OF HANDS VOTE: 7 - 0

MOTION: Vice Mayor Griffith moved and Councilmember Swegles seconded the motion to drop Budget Issue # 3.

SHOW OF HANDS VOTE: 4 - 3 (Councilmembers Lee, Moylan, Whittum dissented)

MOTION: Councilmember Whittum moved and Mayor Hamilton seconded the motion to refer Budget Issue # 4.

SHOW OF HANDS VOTE: 4 - 3 (Vice Mayor Griffith, Councilmembers Moylan and Swegles dissented)

MOTION: Councilmember Spitaleri moved and Councilmember Swegles seconded the motion to drop Budget Issue # 5.

SHOW OF HANDS VOTE: 6 - 1 (Councilmember Whittum dissented)

MOTION: Councilmember Spitaleri moved and Councilmember Whittum seconded the motion to refer Budget Issue # 6.

SHOW OF HANDS VOTE: 3 - 4 (Vice Mayor Griffith, Mayor Hamilton, Councilmembers Moylan and Swegles dissented)

MOTION FAILED.

MOTION: Vice Mayor Griffith moved and Councilmember Moylan seconded the motion to drop Budget Issue # 6.

SHOW OF HANDS VOTE: 4 - 3 (Councilmembers Lee, Spitaleri and Whittum dissented)

CONSIDER REQUIRING SPONSORSHIP BY TWO COUNCILMEMBERS TO CONSIDER PROPOSED BUDGET ISSUE PAPERS AT FUTURE WORKSHOPS

MOTION: Councilmember Griffith moved and Councilmember Swegles seconded the motion to require co-sponsorship by two Councilmembers for all budget issues.

SHOW OF HANDS VOTE: 4 - 3 (Councilmembers Lee, Spitaleri and Whittum dissented)

REVIEW OF PROPOSED DRAFT 2011 TENTATIVE COUNCIL MEETING AGENDA CALENDAR

Council offered the following changes to the Tentative Council Meeting Agenda Calendar

Councilmember Swegles requested consideration of moving the May 17 Council meeting to May 24.

By consensus, Mayor Hamilton announced the Council meeting of May 17 will be moved to May 24.

Vice Mayor Griffith requested consideration of moving the January 24, 2012 Council meeting as it is the same date as the State of the Union Address.

By consensus, Mayor Hamilton confirmed the January 24, 2012 Council meeting will be canceled.

Intergovernmental Relations Officer Blackford announced the study issue ranking results will be available at [studyissues.inSunnyvale.com](http://studyissues.inSunnyvale.com) and the results will be available on KSUN upon adjournment.

**ADJOURNMENT**

Mayor Hamilton adjourned the meeting at 3:07 p.m.