

**DRAFT MINUTES\***  
**SUNNYVALE CITY COUNCIL**  
**TUESDAY, FEBRUARY 8, 2011**

**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 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  
Chief of Public Safety Don Johnson  
Director of Public Works Marvin Rose  
Director of Community Development Hanson Hom  
City Clerk Kathleen Franco Simmons

**CLOSED SESSION REPORT FOR FEBRUARY 8, 2011**

*Closed Session pursuant to Government Code Section 54957 – Public Employee Performance Evaluations*

Vice Mayor Griffith reported no direction was given, no action was taken, and the meeting was continued to a date to be determined.

**PUBLIC ANNOUNCEMENTS**

Councilmember Swegles announced First Lady Obama's "Let's Move!" City and Towns Campaign.

*\*Pending Council Approval*

Councilmember Swegles announced an upcoming Lawrence Station Area Plan Community Meeting.

Councilmember Moylan announced an upcoming outreach meeting regarding the Caltrain proposal to close Lawrence Station.

**PRESENTATION** – Community Development Director Hanson Hom provided a presentation regarding an Update on SB375 – Sustainable Communities Strategy and Regional Housing Needs Allocation (RHNA) Process (RTC 11-023, Information Only)

### **CONSENT CALENDAR**

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

VOTE: 7 - 0

- 1.A. MOTION Approval of Special Council Meeting Minutes of January 14, 2011
- 1.B. MOTION Approval of Council Meeting Minutes of January 25, 2011
- 1.C. MOTION Approval of Special Council Meeting Minutes of January 28, 2011
- 1.D. MOTION Approval of Information/Action Items – Council Directions to Staff

### **Fiscal Items**

- 1.E. MOTION List of Claims and Bills Approved for Payment by the City Manager – List  
RTC 11-027 Nos. 539 & 540

Staff Recommendation: Review the attached lists of bills.

- 1.F. MOTION East Channel Trail Grant Funding – Approval of Resolution of Support  
RTC 11-021 and Budget Modification No. 25

Staff Recommendation: Approve the Resolution of Support committing to complete the projects and stating the City's understanding of the funding process, and approve Budget Modification No. 25 to appropriate grant revenues and matching funds in the amount of \$743,000 to the Sunnyvale East Channel Trail Project.

- 1.G. MOTION City of Sunnyvale Investment Report – 4<sup>th</sup> Quarter 2010  
RTC 11-025

Staff Recommendation: Receive and file the investment report.

### **Contracts**

- 1.H. MOTION Reject Bids Received In Response to Invitation For Bids (IFB) F1010-32  
RTC 11-034 for a Camera Inspection Monitoring System

Staff Recommendation: Reject the proposal received in response to Invitation For Bids F1010-32.

- 1.I. MOTION Award of Contract for the Construction of Sunnyvale Golf Course Paths  
RTC 11-033 (F1007-10) and Approval of Budget Modification No. 26

Staff Recommendation: Award a contract in the amount of \$1,048,062 (Base Bid and Additive Alternate #1) to D.H.R. Construction, Inc. for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; approve a construction contingency in the amount of \$104,806; and approve Budget Modification No. 26 to provide additional funding for the project.

- 1.J. MOTION Award of Bid No. F1011-46 for Citywide Sanitary Sewer Main  
RTC 11-028 Replacement 2010

Staff Recommendation: Award a contract in the amount of \$1,115,000 to K.J. Woods Construction, Inc. for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and approve a 10% construction contingency in the amount of \$111,500.

- 1.K. MOTION Award of Contract for the Repair of the SMaRT Station Tipping Floor  
RTC 11-030 (F1012-57)

Staff Recommendation: Award a contract, in substantially the same form as the attached Draft Purchase Order and in the amount of \$235,500 to Structural Group Inc.; and approve a project contingency in the amount of \$23,500.

- 1.L. MOTION Reject Bids Received in Response to Invitation For Bids F1010-38 for  
RTC 11-031 Traffic Signal Reconstruction at Fair Oaks Avenue and Wolfe Road  
Interconnects

Staff Recommendation: Reject the seven (7) bids received in response to Invitation for Bids No. F1010-38.

### **STAFF RESPONSES TO PRIOR PUBLIC COMMENTS**

None.

### **PUBLIC COMMENTS**

Steve Hoffman spoke regarding code violations at 162 N. Wolfe Road and provided written materials.

### **PUBLIC HEARINGS/GENERAL BUSINESS**

2. MOTION 2011 Priority Issues and Legislative Advocacy Positions  
RTC 11-022

Intergovernmental Relations Officer Yvette Blackford presented the staff report.

Public hearing opened at 7:28 p.m.

No speakers.

Public hearing closed at 7:28 p.m.

Vice Mayor Griffith suggested the State's proposed elimination of the transaction-based reimbursement system be taken seriously and recommended Council take a position to defend it against cuts by the State.

MOTION: Councilmember Spitaleri moved and Vice Mayor Griffith seconded the motion to do as the Vice Mayor recommended.

VOTE: 7 - 0

MOTION: Councilmember Moylan moved and Councilmember Lee seconded the motion to approve Alternative 1: Approve Attachment A, Proposed 2011 Priority Issues and Legislative Advocacy Positions, and Attachment B, Adopted 2011 League of California Cities and National League of Cities Resolutions.

VOTE: 7 - 0

### **COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

Mayor Hamilton reported proposed cuts to CDBG funding.

### **NON-AGENDA ITEMS & COMMENTS**

Councilmember Swegles confirmed proposed changes to the Tentative Council Meeting Agenda Calendar would be reflected in the next version of the calendar.

Councilmember Spitaleri requested an update on the theater.

Mayor Hamilton reported she and other Councilmembers attended Nokia's ribbon-cutting event last week.

### **INFORMATION ONLY REPORTS/ITEMS**

- Tentative Council Meeting Agenda Calendar
- RTC 11-029 Update #5 Regarding Morse Avenue Park Site Development (Information Only)
- RTC 11-024 Vacancy and Rent Survey (Information Only)
- RTC 11-026 Opportunity for Council to Appeal Decisions of the Planning Commission of January 24, 2011
- Approved Minutes of the Housing and Human Services Commission Meeting of November 17, 2010
- Draft Minutes of the Heritage Preservation Commission Meeting of January 12, 2011

### **ADJOURNMENT**

Mayor Hamilton adjourned the meeting at 7:40 p.m.