

DRAFT MINUTES*
SUNNYVALE CITY COUNCIL
TUESDAY, APRIL 5, 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 David Whittum

ABSENT:

Councilmember Anthony (Tony) Spitaleri (excused)

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
Economic Development Manager Connie Verceles
City Clerk Kathleen Franco Simmons

CLOSED SESSION REPORT FOR MARCH 29, 2011

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

Vice Mayor Griffith reported Council met in closed session with labor negotiator regarding Public Safety Officers Association; direction was given and action was taken.

SPECIAL ORDER OF THE DAY – Annual Fire Safety Poster Contest Awards Presentation

SPECIAL ORDER OF THE DAY – Mayor Hamilton presented a proclamation regarding Arbor Day.

PUBLIC ANNOUNCEMENTS

Richard Kolber announced an upcoming meeting of the Democratic Club of Sunnyvale.

Councilmember Swegles announced summer recruitment for board and commission members and an upcoming application deadline.

CONSENT CALENDAR

Councilmember Lee pulled Item 1.F from the Consent Calendar.

MOTION: Vice Mayor Griffith moved and Councilmember Lee seconded the motion to approve the Consent Calendar, with the exception of Item 1.F.

VOTE: 6 - 0 (Councilmember Spitaleri absent)

- 1.A. MOTION Approval of Council Meeting Minutes of March 29, 2011
- 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 11-065 No. 548

Staff Recommendation: Review the list of bills.

- 1.D. MOTION Countywide AB 939 Fee and Household Hazardous Waste Agreements
RTC 11-056 for FY 2011/2012

Staff Recommendation: Alternative 1: Authorize the City Manager to execute both the Agency Agreement for Countywide AB 939 Fee and the Agency Agreement for Countywide Household Hazardous Waste Collection Program (with an augmentation amount of \$231,900) and continue to delegate to the City Manager the authority to approve an increase of up to 20% (\$46,380) in the City's augmentation amount.

Contracts

- 1.E. MOTION Award of a Design Contract for Safe Routes to School (SR2S)
RTC 11-066 Improvements Project (F1003-89)

Staff Recommendation: Award a contract in the amount of \$138,990 to TY Lin International, 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% design contingency in the amount of \$13,899.

- 1.F. MOTION Rejection of Bids for ADA Curb Ramps - 2011 (F1001-72)
RTC 11-064

Public hearing opened at 7:27 p.m.

No speakers.

Public hearing closed at 7:27 p.m.

MOTION: Councilmember Lee moved and Councilmember Griffith seconded the motion to reject all bids received in response to Invitation for Bids No. F1001-72 for ADA Curb Ramps – 2011 and direct staff to re-bid the project.

VOTE: 6 - 0 (Councilmember Spitaleri absent)

Other Items

- 1.G. ORDINANCE Adoption of Ordinance No. 2950-11 to Amend the Precise Zoning Plan, Zoning Districts Map, to Rezone 1044 East Duane Avenue From M-S/ITR/R-4/PD (Industrial and Service/Industrial-to-Residential/High Density Residential/Planned Development) to R-3/PD (Medium Density Residential /Planned Development
NO. 2950-11

Staff Recommendation: Approve the second reading of Ordinance No. 2950-11

- 1.H. MOTION Board and Commission Annual Work Plans
RTC 11-067

Staff Recommendation: Approve the 2011 board and commission master work plans as submitted.

STAFF RESPONSES TO PRIOR PUBLIC COMMENTS

None.

PUBLIC COMMENTS

Carolyn Koenig suggested a United States Patent and Trademark satellite office for the Onizuka site and distributed written materials.

PUBLIC HEARINGS/GENERAL BUSINESS

2. RESOLUTION Approval of Downtown Sunnyvale Business Improvement District Annual Report for FY 2010/2011 and Adoption of the Resolution of Intention to Reauthorize the Downtown Sunnyvale Business Improvement District for FY 2011/2012
RTC 11-059

Councilmember Whittum announced his home is within 500 feet of the district, recused himself, and left the room.

Economic Development Manager Connie Verceles presented the staff report.

Public hearing opened at 7:40 p.m.

Joel Wyrick, Executive Director, Sunnyvale Downtown Association, stated the board is in favor of renewing the Business Improvement District and provided additional information.

Public hearing closed at 7:50 p.m.

MOTION: Councilmember Swegles moved and Councilmember Moylan seconded the motion to approve Alternative 1: Approve the BID Annual Report for FY 2010/2011 and adopt the Resolution of Intention and schedule a public hearing for May 10, 2011 to reauthorize the Business Improvement District for FY 2011/2012 for Downtown Sunnyvale.

VOTE: 5 - 0 (Councilmember Whittum recused, Councilmembers Spitaleri absent)

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Mayor Hamilton reported an upcoming meeting regarding High Speed Rail at Congresswoman Eshoo's office.

Mayor Hamilton reported an upcoming general membership meeting of the Santa Clara County Cities Association and an upcoming joint Metropolitan Transportation Commission and Valley Transportation Authority meeting.

Councilmember Swegles announced an upcoming Council Bocce Ball Tournament in Los Gatos.

NON-AGENDA ITEMS & COMMENTS

Councilmember Griffith reported a Mercury News article regarding Caltrain's service cuts and stated the Lawrence station will be closed on weekends.

Councilmember Griffith reported potential opportunities with KMTV this year for services at a reduced rate and inquired if staff thinks it could be an option.

Assistant City Manager Robert Walker stated staff would provide Council with an update.

Mayor Hamilton announced an upcoming closed session to review the downtown issue.

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Draft Minutes of the Arts Commission Meeting of March 16, 2011
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of March 17, 2011

ADJOURNMENT

Councilmember Lee closed the meeting in honor of Lance Cpl. Harry Lew, USMC.

Mayor Hamilton adjourned the meeting at 8 p.m.