

DRAFT MINUTES*
SUNNYVALE CITY COUNCIL
TUESDAY, JULY 19, 2011

CALL TO ORDER

Mayor Hamilton called the meeting to order in 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 Christopher Moylan
Councilmember Anthony (Tony) Spitaleri
Councilmember David Whittum

ABSENT:

Councilmember Ron Swegles (excused)

STAFF PRESENT:

City Manager Gary Luebbers
City Attorney David Kahn
Director of Finance Grace Leung
Deputy Chief of Public Safety Dayton Pang
Director of Community Development Hanson Hom
City Clerk Kathleen Franco Simmons

REDEVELOPMENT AGENCY CLOSED SESSION REPORT FOR JULY 19, 2011

Closed Session pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator

Vice Mayor Griffith reported Council met in Closed Session; no direction was given and no action was taken.

PUBLIC ANNOUNCEMENTS

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

CONSENT CALENDAR

Councilmember Whittum pulled Item 1.K from the Consent Calendar.

**Pending Council Approval*

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

VOTE: 6 - 0 (Councilmember Swegles absent)

- 1.A. MOTION Approval of Council Meeting Minutes of June 28, 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 11-150 No. 561-563

Staff Recommendation: Review the attached lists of bills.

Contracts

- 1.D. MOTION Award of a Contract for the Engineering Design of the Wright Avenue
RTC 11-151 Water Plant Reconstruction (F1005-112)

Staff Recommendation: Award a contract to HydroScience Engineers, Inc. in an amount not to exceed \$123,620 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 \$12,362.

- 1.E. MOTION Award of Contract for Uniforms and Equipment for the Department of
RTC 11-153 Public Safety (F1005-110)

Staff Recommendation: Award a three-year contract to Summit Uniforms, in an amount not to exceed \$324,000, for Public Safety uniforms and equipment.

- 1.F. MOTION Award of Contract for the Maintenance of the City's Radio Communication
RTC 11-149 Systems (F1006-120)

Staff Recommendation: Award a contract in the amount of \$140,958 to Motorola, Inc. for maintenance of the City's radio communications systems.

- 1.G. MOTION Award of Bid No. F1002-79 for Water Main Replacement at Ferndale
RTC 11-152 Avenue Area and California Avenue

Staff Recommendation: Award a contract in the amount of \$484,000 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 construction contingency in the amount of \$72,600.

- 1.H. MOTION Award of Bid No. F1005-115 for Sanitary Sewer Main Lining at Piedra,
RTC 11-154 Carson, and Bidwell

Staff Recommendation: Award a contract in the amount of \$151,150 to Insituform Technologies, 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 \$15,115.

- 1.I. MOTION Award of Bid No. F1005-114 for Sanitary Sewer Main Replacement 2011 at
RTC 11-155 Columbia, Frances, Madrone and Gascoigne

Staff Recommendation: Award a contract in the amount of \$558,950 to K.J. Woods Construction, Inc., and authorize the City Manager to execute the contract when all necessary conditions have been met; and approve a 10% construction contingency in the amount of \$55,895.

- 1.J. MOTION Award of a Contract to Design, Provide and Install a Broadcast Control
RTC 11-156 Room System for the Office of the City Manager (F1001-64)

Staff Recommendation: Award a contract in the amount of \$274,900 to TV Magic Inc. of San Diego, CA to design, provide and install a broadcast control room system for the City's cable television operations.

Other Items

- 1.K. RESOLUTION Amended Resolution Calling for Special Municipal Election for Proposed
RTC 11-147 Charter Amendments, on a Consolidated November 8, 2011 Ballot

Public Hearing opened at 7:08 p.m.

No speakers.

Public Hearing closed at 7:08 p.m.

MOTION: Councilmember Moylan moved and Councilmember Lee to seconded the motion to approve the amended resolution calling for Special Municipal Election for proposed Charter amendments, on a Consolidated November 8, 2011 Ballot.

SUBSTITUTE MOTION: Councilmember Whittum moved that consideration of the Mayor's term be placed on a future agenda.
Motion died for lack of a second.

VOTE: 5 - 1 (Councilmember Whittum dissented, Councilmember Swegles absent)

PUBLIC COMMENTS

Tap Merrick spoke regarding the status of the left turn from the Kaiser parking lot. Merrick addressed comments he made previously regarding the Directly Elected Mayor issue.

PUBLIC HEARINGS/GENERAL BUSINESS

2. MOTION 2011-7285: Application to Initiate a General Plan Amendment to study a
RTC 11-142 change in the Land Use Designation of a 0.74 acre site located at 603
Old San Francisco Road from Commercial Neighborhood Shop to
Residential High Density

Director of Community Development Hanson Hom presented the staff report.

Public hearing opened at 7:21 p.m.

Abha Nehru, Applicant, introduced herself and responded to questions from Council.

Ashok Killer, Property Owner, responded to questions from Council.

Public hearing closed at 7:25 p.m.

MOTION: Councilmember Lee moved to approve Alternative 3: Initiate a GPA study that includes 603 Old San Francisco Road and the adjacent commercial lot 615-621 Old San Francisco Road for a larger study area.

Motion died for lack of a second.

MOTION: Councilmember Moylan moved and Vice Mayor Griffith seconded the motion to approve Alternative 1: Deny request to initiate a GPA study and retain the subject property as a neighborhood commercial site.

VOTE: 5 - 1 (Councilmember Lee dissented, Councilmember Swegles absent)

3. RESOLUTION Public Hearing to Cause Charges for Non-Payment of Utility Services to
RTC 11-148 be Placed on the FY 2011/2012 Tax Roll

Tim Kirby, Revenue Systems Supervisor, presented the staff report and a provided a revised total assessment.

Public Hearing opened at 7:33 p.m.

No speakers.

Public Hearing closed at 7:33 p.m.

MOTION: Councilmember Lee moved and Vice Mayor Griffith seconded the motion to approve Alternative 1: Adopt the resolution causing charges for non-payment of utility services to be placed on the FY 2011/2012 Property Tax Roll.

VOTE: 6 - 0 (Councilmember Swegles absent)

4. COUNCIL Discussion and Possible Action on Recommendations from the
DISCUSSION Community Event Grant Distribution Subcommittee

Councilmember Spitaleri presented the Subcommittee report and distributed a report titled "Grant Programs Summary" detailing the subcommittee's recommendations for the proposed grants for community events.

Public hearing opened at 7:51 p.m.

Laura Babcock, Sunnyvale Historical Society, spoke regarding the planning for the Centennial Celebration.

Joel Wyrick, Executive Director, Sunnyvale Downtown Association, spoke regarding the recommendation to not fund the grant requests submitted by the Association.

Arcadi Kolchak, on behalf of State Senator Elaine Alquist, expressed appreciation for Council's support of the Women's Health Forum.

Public hearing closed at 8:08 p.m.

MOTION: Vice Mayor Griffith moved and Councilmember Lee seconded the motion to approve the Subcommittee's recommendations on all grants.

AMENDMENT: Vice Mayor Griffith amended the motion to include that the next subcommittee consider whether grant eligibility should be determined by whether or not an organization is a dues paying organization.

VOTE: 6 - 0 (Councilmember Swegles absent)

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Vice Mayor Griffith provided a report regarding a recent Supreme Court decision regarding a ban on plastic bags.

NON-AGENDA ITEMS & COMMENTS

None.

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar

ADJOURNMENT

Mayor Hamilton adjourned the meeting at 8:17 p.m.