

DRAFT MINUTES*
SUNNYVALE CITY COUNCIL
TUESDAY, FEBRUARY 12, 2013, 7 P.M.

CALL TO ORDER

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

SALUTE TO THE FLAG

Mayor Spitaleri led the salute to the flag.

ROLL CALL

PRESENT:

Mayor Anthony (Tony) Spitaleri
Vice Mayor Jim Griffith
Councilmember David Whittum
Councilmember Pat Meyering
Councilmember Tara Martin-Milius
Councilmember Jim Davis

ABSENT:

Councilmember Christopher Moylan (Excused)

STAFF PRESENT:

City Manager Gary Luebbers
Assistant City Manager Robert Walker
City Attorney Joan Borger
Director of Finance Grace Leung
Director of Public Safety Frank Grgurina
Director of Community Development Hanson Hom
Director of Public Works Kent Steffens
Director of Human Resources Teri Silva
City Clerk Kathleen Franco Simmons

PUBLIC ANNOUNCEMENTS

Councilmember Martin-Milius announced an upcoming program of Sunnyvale Reads 2013.

Councilmember Martin-Milius announced a contest to name Sunnyvale's newest park.

Councilmember Martin-Milius announced an upcoming Stevens Creek Trail Working Group meeting.

Councilmember Martin-Milius announced an upcoming Mary Avenue Bike Lanes Community Outreach Meeting.

**Pending Council Approval*

Barbara Fukumoto announced the upcoming Silicon Valley Transportation Summit 2013.

CONSENT CALENDAR

Councilmember Meyering pulled Items 1.A, 1.D, 1.E, 1.F, 1.G and 1.H.

MOTION: Vice Mayor Griffith moved and Councilmember Martin-Milius seconded the motion to approve Consent Calendar Items 1.B and 1.C.

VOTE: 6 - 0 (Councilmember Moylan absent)

Mayor Spitaleri announced Consent Calendar items 1.A, 1.D, 1.E, 1.F, 1.G and 1.H. would be heard following the Public Hearing / General Business portion of the agenda.

1.A. Approval of Council Meeting Minutes of January 29, 2013

Council took up consideration of this item following Item 3.

MOTION: Councilmember Meyering moved to amend the minutes on page 6, Item 7 to include comments made during the discussion.
Motion died for lack of a second.

MOTION: Councilmember Meyering moved to amend the minutes on page 7, Item 8 to include his objections to the Closed Session.
Motion died for lack of a second.

MOTION: Councilmember Meyering moved to amend the minutes on page 7, Item 8 to include comments made during the Closed Session.
Motion died for lack of a second.

MOTION: Vice Mayor Griffith moved and Councilmember Whittum seconded the motion to approve the minutes of January 29, 2013 as submitted.

VOTE: 5 - 1 (Councilmember Meyering dissented, Councilmember Moylan absent)

1.B. Approval of Special Council Meeting Minutes of February 1, 2013

1.C. Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

1.D. RTC 13-035 List of Claims and Bills Approved for Payment by the City Manager – List Nos. 644 & 645

MOTION: Vice Mayor Griffith moved and Councilmember Whittum seconded the motion to approve the lists of bills.

VOTE: 5 - 1 (Councilmember Meyering dissented, Councilmember Moylan absent)

- 1.E. RTC 13-032 Approve In-Kind Services Agreement between the City of Sunnyvale and Silicon Valley Leadership to Provide Leadership Sunnyvale Training Program

Public Comment:

Shane Jacksteit spoke in support of the program.

MOTION: Councilmember Meyering moved and Councilmember Whittum seconded the motion to approve Alternative 1: Approve Attachment A to the report, *In-Kind Services Agreement between the City of Sunnyvale and SVL, Outside Group Funding* and authorize the City Manager to enter into said Agreement.

VOTE: 6 - 0 (Councilmember Moylan absent)

- 1.F. RTC 13-038 Approve Budget Modification No. 30 to Appropriate Housing Mitigation Funds for Legal Expenses Related to the Onizuka Base Realignment and Closure Process

MOTION: Vice Mayor Griffith moved and Councilmember Whittum seconded the motion to approve Budget Modification No. 30 to appropriate \$15,625 from the Housing Mitigation Fund Reserve to existing project, Onizuka / BRAC Project - Final Planning Phase, for legal expenses to support the Onizuka BRAC process.

VOTE: 5 - 1 (Councilmember Meyering dissented, Councilmember Moylan absent)

Contracts

- 1.G. RTC 13-037 Award of Bid No. PW13-09 for Sunnyvale Avenue/Old San Francisco Road Intersection Project

MOTION: Vice Mayor Griffith moved and Councilmember Whittum seconded the motion to award a contract in substantially the same format as the draft attached to the report and in the amount of \$573,259, to Redgwick Construction Company, Inc., 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 \$57,326.

VOTE: 6 - 0 (Councilmember Moylan absent)

Other

- 1.H. RTC 13-034 Approve Assignment and Assumption Agreement between Senior Housing Solutions, The Bill Wilson Center, and the City of Sunnyvale Regarding Socorro Group Home

Public hearing opened at 9:06 p.m.

No speakers.

Public hearing closed at 9:06 p.m.

MOTION: Vice Mayor Griffith moved and Councilmember Whittum seconded the motion to approve the Assignment and Assumption Agreement and associated escrow documents as approved by the City Attorney and authorize the City Manager to execute Agreement and any required escrow documents on behalf of the City.

VOTE: 6 - 0 (Councilmember Moylan absent)

Following action on Consent Calendar Item 1.H., Council resumed the regular order of the agenda at Councilmember Reports on Activities from Intergovernmental Committee Assignments.

PUBLIC COMMENTS

Michael Goldman spoke regarding the Civic Center and provided a PowerPoint presentation.

Susan Smith provided a PowerPoint presentation regarding Las Palmas Dog Park and the need for improved dog park areas.

Jane LeBlanc spoke regarding the Las Palmas Dog Park, provided a PowerPoint presentation and submitted a petition.

Lydia Ortega spoke regarding the need for park areas for small dogs and suggested a trial period similar to the City of San Carlos.

Sorin Witzman spoke regarding the need for parks for small dogs.

Arlene Goetze spoke regarding the need to update the information on the City's website relating to fluoridation.

Peggy Kitting provided a PowerPoint presentation regarding a raw sewage spill and other unhealthy conditions at the Fair Oaks Mobile Home Park.

PUBLIC HEARINGS/GENERAL BUSINESS

2. RTC 13-033 Discussion and Possible Action to Approve the 2012 Annual Progress Report on Implementation of the Housing Element of the General Plan

Housing Officer Suzanne Ise provided the staff report.

Public hearing opened at 8 p.m.

No speakers.

Public hearing closed at 8 p.m.

MOTION: Councilmember Whittum moved and Vice Mayor Griffith seconded the motion to approve the Annual Progress Report as provided in Attachment A to the report.

VOTE: 6 – 0 (Councilmember Moylan absent)

3. RTC 13-036 Discussion and Possible Action to Amend the Agreement for Services between the City of Sunnyvale and the City Manager Related to Compensation

Director of Human Resources Teri Silva provided the staff report.

Public hearing opened at 8:03 p.m.

Terry Fowler spoke regarding the accomplishments of the City Manager.

Tap Merrick spoke regarding the need to develop a system to control salaries.

Barbara Fukumoto spoke in support of the leadership and accomplishments of the City Manager during the economic downturn and recovery.

Public hearing closed at 8:13 p.m.

MOTION: Councilmember Whittum moved and Vice Mayor Griffith seconded the motion to request staff to conduct a compensation survey with comparable Northern California cities.

VOTE: 6 - 0 (Councilmember Moylan absent)

MOTION: Councilmember Whittum moved and Vice Mayor Griffith seconded the motion to provide the City Manager a 10% raise.

VOTE: 3 - 3 (Councilmember Meyering, Mayor Spitaleri and Councilmember Davis dissented, Councilmember Moylan absent)
Motion failed.

MOTION: Councilmember Whittum moved and Vice Mayor Griffith seconded the motion to provide the City Manager a 4% raise.

FRIENDLY AMENDMENT: Councilmember Davis moved a friendly amendment to set the increase to the City Manager's compensation to 3.54% of the control point.
Councilmember Whittum accepted the friendly amendment.

VOTE: 5 - 1 (Councilmember Meyering dissented, Councilmember Moylan absent)

Following action on Item 3, Council took up and considered Consent Calendar Items 1.A, 1.D, 1.E, 1.F, 1.G and 1.H.

Following action on Item 1.H, Council resumed the regular order of the agenda at Councilmember Reports on Activities from Intergovernmental Committee Assignments.

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Martin-Milius reported a meeting of the Stevens Creek Trail Working Group.
Councilmember Davis reported a meeting of the Moffett Field Restoration Advisory Board.

NON-AGENDA ITEMS & COMMENTS

Councilmember Whittum and Councilmember Davis requested to place a study session on a future agenda to consider forming a working group with Mountain View concerning Moffett Park issues.

Without objection, the Mayor directed staff to place the study session on a future agenda.

Councilmember Whittum spoke regarding the issues at Fair Oaks Mobile Home Park.

Councilmember Whittum spoke regarding the Chinese New Year Celebration at the Zen Center.

Councilmember Whittum spoke regarding the issues at the dog park at Las Palmas Park and expressed support for including the issues in the study issue, or requested a budget issue to relocate the dog enclosure.

Councilmember Whittum spoke regarding the success of the study issue workshop.

City Manager Luebbers spoke regarding a meeting of the Rotary Club at which he spoke and an upcoming engagement at the Democratic Club of Sunnyvale.

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- RTC 13-031 Follow-up to Memo Regarding Traffic Signal Installation Project at the Bernardo and Remington Intersection
- Draft Minutes of the Sustainability Commission Meeting of January 22, 2013

ADJOURNMENT

Councilmember Davis closed the meeting in remembrance of the police officers and family members killed in the line of duty in the past week.

Mayor Spitaleri closed the meeting in honor of memory of Mary Angela Koehler-Marley.

Mayor Spitaleri adjourned the meeting at 9:21 p.m.