

CITY OF CUPERTINO, STATE OF CALIFORNIA
10300 TORRE AVENUE, CUPERTINO, CA 95014
TELEPHONE: (408) 252-4505

CC-862

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
HELD ON JUNE 21, 1993, COUNCIL CHAMBER, CITY HALL
10300 TORRE AVENUE, CUPERTINO, CALIFORNIA

The meeting was called to order by Mayor Szabo at 6:45 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Counc. Present:

Dean, Goldman, Koppel, Sorensen, Mayor Szabo

Staff Present:

City Manager Brown
Deputy City Clerk Wolfe
Director of Public Works Viskovich
Director of Community Development Cowan
Assistant to the City Manager Brown
Director of Finance Snyder
Director of Parks and Recreation Dowling
Public Information Officer Krey
Planner II Robillard
City Attorney Kilian

CEREMONIAL MATTERS - PRESENTATIONS - None.

POSTPONEMENTS - It was moved by Counc. Koppel, seconded by Counc. Sorensen and passed unanimously to continue Item 34 to the July 6 meeting.

Mayor Szabo announced that consideration of the Monta Vista site for affordable housing will not take place tonight as erroneously printed in the newspaper. The matter will be on the July 6 agenda.

ORAL COMMUNICATIONS

Wanda Lindstrom, a Monta Vista resident, said she had come to the Planning Commission meeting on June 14 because the paper had stated that the affordable housing in Monta Vista would be discussed then. At that meeting she was told it had been changed to tonight's meeting. She said she would not return.

Director of Community Development Cowan stated that no official date has been set. Staff is still working with the Housing Coalition. He had contacted as many people as possible about the error in the newspaper.

Ms. Lindstrom said she might make her views heard in the paper.

Allan Bidwell, 11257 Bubb Road, wished Council Koppel happy birthday. He stated he is on the board of Cupertino Community Services. They were budgeted to serve 12,000 people this year and have already served 20,000. Additional funding is needed for the 93-94 year. He described a fund-raiser, "Cupertino Night at the San Jose Giants," which will take place on Thursday, June 24. Mr. Bidwell said that Director of Finance Snyder has the tickets which sell for two for \$5.00.

CONSENT CALENDAR

Council Sorensen removed Item 13.

It was moved by Council Koppel, seconded by Council Sorensen and passed unanimously to approve the balance of the Consent Calendar as submitted.

1. Resolution No. 8898: "A Resolution of the City Council of the City of Cupertino Allowing Certain Claims and Demands Payable in the Amounts and From the Funds as Hereinafter Described for General and Miscellaneous Expenditures for the Period Ending June 4, 1993."
2. Resolution No. 8899: "A Resolution of the City Council of the City of Cupertino Allowing Certain Claims and Demands Payable in the Amounts and From the Funds as Hereinafter Described for General and Miscellaneous Expenditures for the Period Ending June 11, 1993."
3. Resolution No. 8900: "A Resolution of the City Council of the City of Cupertino Appointing the City Attorney and Assistant City Attorney, Describing Their Duties and Providing For His Compensation."
4. Resolution No. 8901: "A Resolution of the City Council of the City of Cupertino Adopting a Memorandum of Understanding Between the City of Cupertino and the Cupertino Employee Association."
5. Resolution No. 8902: "A Resolution of the City Council of the City of Cupertino Adopting a Memorandum of Understanding Between the City of Cupertino and the Operating Engineers Local No. 3."
6. Resolution No. 8903: "A Resolution of the City Council of the City of Cupertino Fixing the Employer's Contribution Under the Meyer-Geddes State Employees Medical and Hospital Care Act."
7. Resolution No. 8904: "A Resolution of the City Council of the City of Cupertino Amending the Rules on Conditions of Employment."

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8. Resolution No. 8905: "A Resolution of the City Council of the City of Cupertino Increasing Amount Paid Toward Insurance Premiums for Council members."
9. Resolution No. 8906: "A Resolution of the City Council of the City of Cupertino Amending the Unrepresented Compensation Program."
10. Resolution No. 8907: "A Resolution of the City Council of the City of Cupertino Establishing Salaries for Positions Not Within A Schedule of Pay Grades."
11. Budget Update and Treasurer's Report, May, 1993.
12. Review of Alcoholic Beverage Control applications: a) OLA Caribbean Cajun - African Restaurant, 10905 North Wolfe Road (formerly Finn McCool's); b) Hamburger Hamlet, 19624 Stevens Creek Boulevard (formerly Baxter's).
13. Removed from Calendar.
14. Acceptance of municipal improvements:

Chen Yung Chou project; 11366 Bubb Road
15. Resolution No. 8908: "A Resolution of the City Council of the City of Cupertino Accepting a Grant of Conservation Easement for the Preservation of Specimen Trees from Ishwar P. Murarka and Ragini S. Murarka, 10446 San Fernando Avenue."
16. Request for approval of minutes of the adjourned regular meeting of June 1, 1993 (CC-859C).
17. Request for approval of minutes of the adjourned regular meeting of June 2, 1993 (CC-859D).
18. Request for approval of minutes of the special meeting of June 3, 1993 (CC-860).
19. Request for approval of minutes of the regular meeting of June 7, 1993 (CC-861).
20. Application No. 9-ASAC-93 - T W International Company - Request for review and approval of architectural detailing and site layout of a single family home located on Lot 188, Dorothy Ann Way. Recommended for approval.

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Vote Members of the City Council

AYES: Dean, Goldman, Koppel, Sorensen, Szabo
NOES: None
ABSENT: None
ABSTAIN: None

ITEMS REMOVED FROM THE CONSENT CALENDAR

13. Acceptance of gift - framing of painting for Toyokawa, Japan - donated by "Fast Frame", 20735 Stevens Creek Boulevard, Cupertino.

Counc. Sorensen said she wanted to acknowledge and publicly thank "Fast Frame" for the gift.

It was moved by Counc. Sorensen, seconded by Counc. Goldman and passed unanimously to accept the gift.

PUBLIC HEARINGS

Mayor Szabo announced that Items 21 and 29 (under New Business) would be considered together.

City Attorney Kilian suggested that Item 29 be considered first. Since there has been an alternate draft ordinance submitted, Council needs to decide which ordinance to accept and come back at a future meeting for first reading after he has made technical changes.

29. Discussion of alternative design review process and request for direction.

Mr. Cowan presented the staff report.

It was moved by Counc. Dean and seconded by Counc. Sorensen to approve the staff recommendation (shifting current ASAC functions to Planning Commission, exploring possibility of using an AIA volunteer to assist staff with evaluation of complex buildings; establishing and obtaining approval of criteria for use of volunteer design professionals; and preparing appropriate ordinance to shift all procedures requiring ASAC review to Planning Commission review).

Counc. Koppel said that she would like to hear from the members of the Committee who were present.

Gordon Frolich, 1202 Belknap Court, said he had been appointed to ASAC in January. At the time of the interviews prior to his appointment he was informed that the Committee would probably be disbanded. In his opinion, the Planning Commission can handle the approval functions that would be transferred to them.

Andrea Harris, 1052 Tuscany, said she too had been appointed in January. The Committee and the sign subcommittee have worked hard on the sign ordinance revision. At this point the only reason to keep the Committee intact would be to handle anything not handled by the ordinance. Ms. Harris said it might be premature to disband ASAC before we see how the new ordinance will work.

Council by consensus expressed thanks to the Committee for their service to the community

The motion was passed unanimously.

21. Application No. 81,004.120 and 2-EA-93 - Sign Ordinance revision - Applicant, City of Cupertino; Location: Citywide. Environmental Determination: The Planning Commission recommends the granting of a Negative Determination. Recommended for approval.
 - (a) First reading of Ordinance No. 1624: "An Ordinance of the City Council of the City of Cupertino Amending Title 17, Signs, of the Cupertino Municipal Code."
 - (b) First reading of Ordinance No. 1625: "An Ordinance of the City Council of the City of Cupertino Amending Chapter 5.16, Garage and Patio Sales, of the Cupertino Municipal Code."

Mr. Cowan stated that Planner II Robillard staffed ASAC and had worked with the sign ordinance subcommittee.

Mr. Robillard presented the staff report and answered questions regarding maintenance of signs. He informed Council that it was a matter of enforcement.

Gordon Frolich presented an alternate sign ordinance. He gave some personal background and said he has a hobby of making lighted sign displays. He explained that his initial interest in the sign ordinance occurred when he sought permission to display an American flag on commercial property on Labor Day in 1992.

Mr. Frolich said that in his ordinance regulations are separated by land use zoning district, then by type of sign. The one presented by the subcommittee has two separations of sign types (permanent and temporary), then is separated by land use zoning district, then by type of sign, then by miscellaneous signs. He also explained the difference in the listing of sign types. He stated that his ordinance employed consistent use of chapters, sections and paragraphs; in his opinion, the one the subcommittee prepared does not.

Mr. Frolich said his proposal used consistent terminology, phrases and language construction, versus "variable" in the committee's version. He also said that he used

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correct spelling, punctuation, grammar and sentence structure, correct word usage, correct cross referencing to other pertinent chapter number, and simplified versus cumbersome numerical expression. He cited some examples of each.

Regarding definitions, Mr. Frolich said that all significant terms are defined and are used in running text according to the sign ordinance definitions. Zoning district nouns are used instead of alpha-numeric designation which many people do not understand and which may change or become obsolete. The format is simplified. He provided a listed of specific difference in the two draft ordinances.

In conclusion, Mr. Frolich stated that the ASAC draft and his alternate draft could not be blended to produce a synergistic sign ordinance. He stated the opinion that the alternate is a better document and promotes the intent, purpose and spirit of the sign ordinance. He said it lends itself more easily to changes in the values or the requirements, whether now before enactment or later for an annual review. If the alternate draft is adopted, Mr. Frolich said he would volunteer to edit and correct appendices from the ASAC draft for inclusion.

Mr. Frolich said that if the ASAC draft is approved, he thanked Council for a valuable education about sign ordinances.

Mayor Szabo stated that at least three Council members had indicated that they would like more time to consider the options. Therefore, no decision would be made tonight.

Counc Dean was informed that sign height is measured from the nearest sidewalk. He saluted Mr. Frolich for his efforts.

When asked if he had made efforts to have the appointed committee incorporate some of his suggestions, Mr. Frolich said he had made no attempt to go before that committee.

Andrea Harris said there needs to be a validation of the incredible effort expended here. She said the committee's proposal is a sound document which represents the committee's agreement. In her opinion, Mr. Frolich's ordinance is not a minority opinion but rather the work of an individual. She said she is opposed to looking at another ordinance at this time. Ms. Harris said the committee knew from the beginning that a 4-1 agreement was the best they could do; 3-2 sounds like a great division, but all tenets of the proposal were supported by a majority. The document is a compromise, but is a valid effort.

John Statton, Chamber of Commerce Vice President for Business Advocacy, said this ordinance process is one of compromise between the community and the business community. The changes contained are long overdue and he urged adoption. The ordinance as proposed will promote business.

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City Attorney Kilian said the two ordinances are difference in format and assumptions. If Council continues consideration of both ordinances, he will not be able to start working on technical changes.

City Manager Brown urged Council not to send the document back for further action by ASAC.

By consensus, Council continued consideration of this matter to the July 6 meeting.

22. Hearing to adopt the 1993-94 fiscal year operating budget, establish appropriation limit and approve the granting of a negative declaration for the Five Year Capital Improvement Program.
 - a) Resolution No. 8909: "A Resolution of the City Council of the City of Cupertino Adopting an Operating and Construction Budget for Fiscal Year 1993-1994 By Ratifying Estimates of Revenues to be Received in Each Fund and Appropriating Monies Therefrom for Specified Activities and Accounts and Setting Forth Conditions of Administering Said Budget."
 - b) Resolution No. 8910: "A Resolution of the City Council of the City of Cupertino Establishing An Appropriation Limit For Fiscal Year 1993-1994."

City Manager Brown said that the action now is to formally adopt the budget. There has been extensive study already.

Director of Finance Snyder asked Assistant to the City Manager Brown to present a report about the appropriation for animal control.

Ms. Brown said that an additional \$80,000 has been request. She presented the report.

Following discussion of maintenance of effort, it was moved by Counc. Dean and seconded by Counc. Koppel to adopt Resolution 8909.

Concern was expessed regarding long-range planning and deficit spending.

City Manager Brown stated that the budget does not represent deficit spending. In fact, the City is adding to the general fund reserve over time. He cited figures provided by Mr. Snyder.

The motion was carried with Mayor Szabo dissenting.

It was moved by Counc. Sorensen, seconded by Counc. Goldman and passed unanimously to adopt Resolution 8910.

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At the request of Counc. Goldman, the figures cited by Mr. Brown were given to the Deputy City Clerk to be placed in the record.

It was moved by Counc. Goldman, seconded by Counc. Sorensen and passed unanimously to grant a Negative Declaration for the Five Year Capital Improvement Program.

PLANNING APPLICATIONS

23. Application No. 21-U-89 (modified) - Clarke Rosa - Use permit modification to extend days of operation to Saturday, to allow retail use and to allow on on-street parking space. The project is located at 10270 Imperial Avenue. Environmental Determination: Categorically Exempt. Recommended for approval.

Mr. Cowan presented the staff report.

Ann Anger, Monta Vista, said there are about twelve homes that are affected, six per side. The builder tried to get the owners to build a cul-de-sac at the time of construction, but they wouldn't. They must live with the problem now as a result of that decision.

Clarke Rosa, applicant, said he had met with neighbors. His business is not the only problem in the area. He said they have worked out solutions. The two parking space deficit can be corrected if the dumpster can be moved. He said he was here to answer questions.

It was moved by Counc. Dean, seconded by Counc. Goldman and passed unanimously to approve the application per Planning Commission Resolution No. 4455 and Planning Commission Minute Order No. 4462.

ARCHITECTURAL AND SITE APPROVAL COMMITTEE APPLICATIONS

24. None.

UNFINISHED BUSINESS

25. None.

NEW BUSINESS

26. Adoption of resolutions and regulations pertaining to the November 2, 1993, election.
 - a) Resolution No. 8911: "A Resolution of the City Council of the City of Cupertino Calling For a General Municipal Election To Be Held On November 2, 1993."

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- b) Resolution No. 8912: "A Resolution of the City Council of the City of Cupertino Requesting the Registrar of Voters to Conduct the November 2, 1993, Election and Canvass of Votes, and Requesting Consolidation."
- c) Resolution No. 8913: "A Resolution of the City Council of the City of Cupertino Determining Charges and Regulations for Candidates Statement of Qualifications and Other Mailings in Connection With The General Municipal Election of November 2, 1993."

It was moved by Council. Koppel, seconded by Council. Sorensen and passed unanimously to adopt Resolutions 8911, 8912 and 8913.

- 27. Report on bid opening and award of contract - printing of the Recreation Activity Schedule.

It was moved by Council. Goldman, seconded by Council. Sorensen and passed unanimously to award the recreation schedule of activities printing contract to Pizazz Printing in the amount of \$20,680 with a 10% contingency for additional pages as needed.

- 28. Consideration of donation from Cupertino Tennis Club for court resurfacing at Cupertino Sports Center.

Director of Parks and Recreation Dowling presented the staff report and recommendation.

It was moved by Council. Sorensen, seconded by Council. Dean and passed unanimously to accept and endorse the donation. By consensus, it was agreed that the Tennis Club would be formally thanked at a ceremony to be held at the time of the actual presentation.

- 29. Previously considered (prior to Item 21).
- 30. Request for approval of the Long Range Master Plan for McClellan Ranch Park prepared by the McClellan Ranch Ad Hoc Committee.

Mr. Dowling presented the staff's recommendation.

Deborah Jamison, member of the McClellan Ranch Ad Hoc Committee, made a presentation she said had been inspired while reading the *Macintosh Reader*. She said we must understand previous technologies and where our basic materials come from. Human society is dramatically changed by technological advancements. Each century revolutionary advances in what we can do and how we can do it result from the new tools and machines which are built. Ms. Jamison talked about what has happened in Cupertino over the last ten years in computer technology. However, history did not begin in 1983 with the Macintosh. Cupertino history goes back thousands of years. We are dependent on a healthy functioning world of nature to sustain us. Without understanding we will destroy

it. The earth is in crisis. Environmental education is a necessity. Ms. Jamison spoke of the environmental education opportunities that take place at the Park. She said Cupertino's nature and history have been mostly obliterated. McClellan Ranch Park is the one place left dedicated to the source of all our technology and to our past technology. The Park itself has been neglected and ignored as Cupertino concentrated on other priorities. The master plan represents an opportunity to re prioritize Cupertino's commitment to environmental educational recreation and pursuits. Ms. Jamison said she wrote her remarks on her Powerbook while looking over the Park. Her hands were planted in the present, her eyes looking over the past and her mind lobbying for the future. She urged Council to let everyone have the opportunity to learn who we are, where we came from and where we're going. That's what approving this master plan means.

Bobbie Handen, Education Chair for the Santa Clara Valley Audubon Society, encouraged Council to approve the plan. She said she had two goals: to save the planet and to save at risk children. These come together for her at McClellan Ranch Park. Ms. Handen said she was glad Council had visited the Park and she wished they could have seen it on Education Day so it could come alive for them. She urged Council to maintain and enhance it. The Society has had grants to send children to the Baylands. They plan to start a Young Audubon Society and conduct classes for adults at the Park. They are open to suggestions for other activities. Ms. Handen said it is exciting to be a part of the Society's activities and the committee is growing.

Jim Sizemore, resident of the Simms house, described the history of how he came to be at the residence. He said the residents are all parents trying to get back on their feet. They expect their roommates to contribute to life, not drag others down. Mr. Sizemore said shared living isn't easy. Innovative Housing helps make it run smoothly. They provide counseling for the residents. He asked Council to keep the single parent housing at the Simms house and under the auspices of Innovative Housing.

Christine Abolandou, who is also a resident at the Simms house, thanked Council and told of the circumstances leading to her being at the house. At the time she had to find a place to live. She worked and went to school in Cupertino but could not afford to live here. Innovative Housing helped. She said the stable environment is great for her son and urged Council to keep the use of the property as is.

Mr. Dowling said the Committee's report did not address the issue of the time of the lease. The Parks and Recreation Commission recently recommended renewal of the lease for an additional three years and then the property would revert to park use.

Bette Perez, Deputy Director of Housing Programs for Innovative Housing, said it was exciting for her to hear the residents speak. IH has 160 houses. There are nine residents in this house. Ms. Perez encouraged Council to remember the two tenants who spoke tonight when making their decision.

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Bill Neagle, 21837 Woodbury Drive, encouraged adoption of the Master Plan. He stated concerns regarding inconsistencies and said explanatory signs were needed at the park. His major beef was the composting. When the community compost was to be placed at the park, park users were upset. Mr. Neagle said even though the gardens were supposed to be "organic", snail bait was used. Also, while labeled a "natural habitat", gopher traps (the kind that kill) were used. He suggested a survey of people who don't use the park. Many people don't even know it's there.

Mr. Neagle said there had been discussion of screening the mobile home. Instead of screening, move something in that fits. The mobile home doesn't fit. Also, the gardens are not labeled and are messy. The gardeners should have to keep their areas clean. The 4-H area should be labeled better. He cited the Deer Hollow Park at Rancho San Antonio. In his opinion, the park should be opened up to others, not just special interest groups.

Lois Warburton, 11001 Lucky Oak Street, said the Committee has done a great job. She wished she had been a part of it. She stated that she is a member of the Audubon Society, the Sierra Club and the City's Affordable Housing Committee. She walks the Park's trails often. One of her concerns was that if the use of the house were changed to offices, the parking would change the ecological balance. Trees might need to come down and it would change the character of that part of the property.

Ms. Warburton said the Simms house residents pay 30% of their income for rent and in addition perform caretaking duties for the park. This Council is touching the lives of the people in the Simms house in a personal way. Ms. Warburton urged them to make the humane decision to keep it as affordable housing. The residents do not harm the environment.

Howard Johnson, 11560 Alcalde, asked Council to adopt the Master Plan as written. The plan has flexibility. The Simms house is the only stumbling block. He has called many people on both sides of the issue and he has concluded that the consensus is that Cupertino will get "economically diverse" housing (the term he preferred instead of affordable housing). At that time give the Simms house occupants first opportunity to move there.

Sue Mirch-Kretschmann, 20568 Blossom Lane, said she knows Ms. Jamison and thanked her and the other Committee members for their work on the Master Plan. Resources are becoming limited. She said she also believes in careful, long-term planning. Ms. Mirch-Kretschmann recommended having the use of the Simms house tied to placing residents in affordable housing. This would provide an incentive to provide housing in all economic brackets.

Catherine Sleight, member of the Ad Hoc Committee, said the committee is composed of several long time community volunteers. All the members understand the need in the community for low income housing. She said their regret is that the City has not been

able to provide more affordable housing in the two years since the committee was charged with creating the master plan. The utilization of the Simms house is not in conformance with the Municipal Code definition of rural and nature preserve. The plan does not designate a specific time line for the transition of the house to park related uses. Some things can be initiated fairly soon if there is a commitment to the plan: the bus cutout, construction of a bridge across Stevens Creek for integrating the trail, fundraising activities. Ms. Sleight reiterated there should be a smooth transition. People should be aware that a large number of people can come through the Park but you wouldn't know they had been there. Should the Simms house be converted to office space, parking should not be a big issue. The management planning task force will take all of these factors into account.

In answer to Council questions regarding the management planning task force and Friends of McClellan Ranch Park, Lonnie Toensfeldt, member of the Ad Hoc Committee, said the recommendation included no request for funding. McClellan Ranch Park is the unknown park. This is partly due to its location, some of it may have been done deliberately. It is frustrating to see a wonderful and unique property and have limitations on what can be done there. The work of the Committee is very important and gives some vision of the park's potential. Current uses aren't perfect. Improvements and enhancements are needed.

Ms. Toensfeldt introduced Barbara Banfield, Naturalist, to answer Council's questions about weeds in the field.

Ms. Banfield said a weed is defined as an unwanted plant. Most of the plants in the field are not native to the environment. It would be a losing battle to try to eradicate non-native grasses. She would like to see native grasses re-introduced and some of the present grasses removed. She said she could see a trail around the perimeter of the field. Ms. Banfield said even though the Simms property is three acres, if most of the property were integrated into public use people might be inhibited by the fact that the house is a private residence. She also said that the basement is not being used now and could be used as a wet lab.

Mr. Dowling said the next step is to form the master task force and Friends of the Park.

It was moved by Counc. Sorensen and seconded by Counc. Koppel to adopt the long range master plan for McClellan Ranch Park as recommended by the Parks and Recreation Commission.

Discussion followed regarding representation on the task force by affordable housing people, Council's commitment to Friends of the Park, and tying changing the use of the house to providing other affordable housing.

Mr. Dowling said the intent is that a decision be made tonight that at some future time the property will revert to park use. The housing arrangement is interim and not permanent. The task force will design the transition.

Concern was expressed that other affordable housing programs are not a substitute for the services provided by the Simms house and that use for offices might be more intrusive than the use as a residence.

Mr. Dowling echoed Council's congratulations and thanks to the Committee.

The motion was passed unanimously.

31. Review and approval of the city's investment policy.

Director of Finance Snyder presented staff's report.

It was moved by Council. Goldman, seconded by Council. Dean and passed unanimously to approve the investment policy as recommended.

32. Consideration of amendment to the municipal code - establishing a fee for processing applications for overweight vehicle permits.

- (a) First reading of Ordinance No. 1629: "An Ordinance of the City Council of the City of Cupertino Amending Chapter 11.37.040 of the Cupertino Municipal Code, Relating to Establishment of Overweight Vehicle Permit Fee for Process Application."

Director of Public Works Viskovich said staff's recommendation was to approve the ordinance as submitted.

It was moved by Council. Koppel, seconded by Council. Goldman and passed unanimously to approve the amendment to the Municipal Code.

It was moved by Council. Koppel, seconded by Council. Goldman and passed unanimously to read Ordinance No. 1629 by title only and the Deputy City Clerk's reading to constitute the second reading thereof.

33. Report on bid opening and award of contract for Street Maintenance Slurry Seal, Project 93-104.

Director of Public Works Viskovich presented staff's recommendation.

It was moved by Council. Koppel, seconded by Council. Sorensen and passed unanimously to utilize the alternate bid and award the project to the lowest bidder, Valley Slurry Seal,

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in the amount of 244,804.20 and to authorize a 10% contingency of \$24,500 for a total project of \$269,305.

34. Discussion and consideration of an "Adopt A Median" program - Counc. Koppel.

Previously continued to July 6.

35. Request for Council comments regarding a Growth Management "Compact" - Counc. Koppel.

By consensus, Council supported the concept.

WRITTEN COMMUNICATIONS

36. None.

ORDINANCES

37. Second reading and enactment of Ordinance No. 1626: "An Ordinance of the City Council of the City of Cupertino Amending Chapter 6.24, Sections 6.24.070 and Section 6.24.080 of the Cupertino Municipal Code Relative to Garbage Containers."

It was moved by Counc. Koppel, seconded by Counc. Sorensen and passed unanimously to read Ordinance No. 1626 by title only and the Deputy City Clerk's reading to constitute the second reading thereof.

It was moved by Counc. Koppel, seconded by Counc. Sorensen and passed unanimously to enact Ordinance No. 1626.

RESOLUTIONS

38. None.

STAFF REPORTS

39. Oral reports by staff members and submission of written reports - None.

COUNCIL REPORTS

40. Mayor Szabo: Legislative Review Committee

It was moved by Counc. Szabo, seconded by Counc. Koppel and passed unanimously to take the following positions on proposed legislation: Support AB 2396 (Sher) which would provide \$1.5 million to the City of East Palo Alto to combat violent crime, reduce gang violence and stop drug trafficking. Oppose SB 1093 (Killea), hazardous materials emergency response. Request copy of AB 1420 (Tucker), outdoor advertising.

At 9:30 p.m., the meeting was adjourned.

Deputy City Clerk