



City of Sunnyvale

Meeting Minutes City Council

Tuesday, February 9, 2016

4:30 PM

West Conference Room and Council
Chambers, City Hall, 456 W. Olive Ave.,
Sunnyvale, CA 94086

Special Meeting-Closed Session-4:30 PM | Study Session-5:30 PM | Regular Meeting-7
PM

7 P.M. COUNCIL MEETING

CALL TO ORDER

Mayor Hendricks called the meeting to order in Council Chambers.

SALUTE TO THE FLAG

Mayor Hendricks led the salute to the flag.

ROLL CALL

Present: 7 - Mayor Glenn Hendricks
Vice Mayor Gustav Larsson
Councilmember Jim Griffith
Councilmember Tara Martin-Milius
Councilmember David Whittum
Councilmember Pat Meyering
Councilmember Jim Davis

PRESENTATION

[15-1084](#) PRESENTATION - Midpeninsula Regional Open Space
District Presentation on Measure AA Projects

Jed Cyr, Board member, Midpeninsula Regional Open Space District, presented information regarding the district's Measure AA projects.

CLOSED SESSION REPORT

Vice Mayor Larsson reported Council met in Closed Session pursuant to California Government Code Section 54957.6: Conference with Labor Negotiators; nothing to report.

ORAL COMMUNICATIONS

Mayor Hendricks announced February is Black History Month.

Mayor Hendricks requested awareness for car, bicycle, and pedestrian safety, especially during before and after school hours.

Councilmember Martin-Milius announced Project WeHOPE's Dignity on Wheels mobile laundry and shower trailer, and other services for the homeless.

Councilmember Martin-Milius announced the IGreen Sunnyvale app challenge to "save a watt" and introduced the first winner, Tim Oey.

Stan Hendryx provided information regarding an initiative measure in Cupertino that would impact housing and traffic in Sunnyvale, and urged the City to advocate for the defeat of the measure. Hendryx also requested Council advocate for potential changes to CEQA guidelines to the Governor's office.

Martin Landzaat requested support for putting the heritage oak tree and the house on Butcher's Corner on the heritage resource inventory and provided a PowerPoint presentation.

Tim Oey expressed appreciation to Council for recognition for the IGreen Sunnyvale Challenge and spoke in support of improving fish passages on Stevens Creek.

Kevin Bock, Principal of Summit Denali, provided information regarding the school and requested Council allow the school to stay at its current location for three years.

Michael Goldman spoke regarding the cost of retrofitting public buildings versus new construction, and provided a PowerPoint presentation.

Yang Chung spoke in support of Summit Denali School.

CONSENT CALENDAR

Councilmember Meyering pulled Items 1.A, 1.B, 1.C, 1.D, 1.F and 1.H.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Consent Calendar Items 1.E and 1.G.

The motion carried by the following vote:

Yes: 7 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Whittum
Councilmember Meyering
Councilmember Davis

No: 0

1.A [16-0012](#) Approve City Council Meeting Minutes of January 5, 2016

Based on Council action after Item 5, this item was continued to the February 23, 2016 Council meeting.

1.B [16-0029](#) Approve City Council Meeting Minutes of January 12, 2016

Based on Council action after Item 5, this item was continued to the February 23, 2016 Council meeting.

1.C [16-0032](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Based on Council action after Item 5, this item was continued to the February 23, 2016 Council meeting.

1.D [15-1078](#) Award a Contract to Deploy an Advanced Traffic Management System (F16-70), Make a Finding of CEQA Categorical Exemption, Accept a \$250,000 Contribution from Google, and Approve Budget Modification No. 21 to Appropriate \$320,435 in Traffic Impact Fees and the \$250,000 Donation from Google to Fund the Project

Councilmember Griffith stated he would recuse himself on Items 1.D and 1.H due to the nature of his employer, and left the room.

Public Hearing opened at 3:19 a.m.

No speakers.

Public Hearing closed at 3:19 a.m.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to 1) Make a finding of CEQA categorical exemption pursuant to Class 1, 15301(c) for existing facilities; 2) accept a \$250,000 donation from Google to offset project costs; 3) approve Budget Modification No. 21 to appropriate the \$570,435 to fund the project; 4) award a contract in the amount of \$518,577 to Control Tech

West Inc. to deploy an advanced Traffic Management System, in substantially the same form as Attachment 2; and approve a 10% contract contingency in the amount of \$51,858.

The motion carried by the following vote:

Yes: 5 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Martin-Milius
Councilmember Whittum
Councilmember Davis

No: 1 - Councilmember Meyering

Recused: 1 - Councilmember Griffith

Following action on Item 1.D, Council considered Item 1.H.

1.E [15-1094](#) Reject all Proposals Received in Response to Request for Proposals No. F15-94 for an Enterprise Resource Planning (ERP) System

Reject the proposals received in response to Request for Proposals No. F15 94 for an Enterprise Resource Planning (ERP) System and Implementation Services.

1.F [15-1106](#) Authorize the City Manager to Execute Agreements with AMB Electrical Power Services LLC and ChargePoint Inc. Allowing the City to Participate in the Bay Area Charge Ahead Project to Install Four Electric Vehicle Charging Stations in Sunnyvale through a California Energy Commission Grant; Adopt a Resolution to Establish the Electric Vehicle Charging Station Use Fee in the FY 15-16 Fee Schedule; Approve Budget Modification No. 22; and Find that the Project is Exempt from CEQA

Public Hearing opened at 9:50 p.m.

No speakers.

Public Hearing closed at 9:50 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve 1) Authorize the City Manager to execute agreements with AMB Electrical Power Services, LLC and ChargePoint Inc. allowing the City to participate in the Bay Area Charge Ahead Project to install four electric vehicle

charging stations in Sunnyvale through a grant awarded to the Bay Area Climate Collaborative from the California Energy Commission at a cost to the City of \$10,460; 2) Adopt a Resolution to establish the Electric Vehicle Charging Station Use Fee of \$1.50 per hour in the FY 15-16 Fee Schedule; 3) Approve Budget Modification No. 22; and 4) Make a finding of CEQA categorical exemption pursuant to Class 1 Section 15301(a) for existing facilities.

The motion carried by the following vote:

- Yes:** 6 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Whittum
Councilmember Davis
- No:** 1 - Councilmember Meyering

Following action on Item 1.F, Council considered Item 4.

- 1.G** [15-1121](#) Adopt a Resolution to Amend the Salary Table of the City's Salary Resolution to Implement a 7% Wage Increase for the Classification of Casual Crossing Guard

Adopt a resolution to amend the Salary Table of the City's Salary Resolution revising the pay schedule for Pay Plan Category I to implement a 7% Wage Increase for the Classification of Casual Crossing Guard.

- 1.H** [15-1046](#) Authorize the City Manager to Execute an Easement Deed and Temporary Construction Easement to the Santa Clara Valley Water District (SCVWD) over a Portion of City Owned Property in Relation to the Wolfe Road Recycled Water Project

Councilmember Griffith was recused from Item 1.H as stated for Item 1.D due to the nature of his employer, and was out of the room during this item.

Public Hearing opened at 3:21 a.m.

No speakers.

Public Hearing closed at 3:21 a.m.

MOTION: Councilmember Whittum moved and Councilmember Davis seconded the motion to adopt the resolution authorizing the City Manager or designee to

execute an Easement Deed and Temporary Construction Easement to SCVWD over portions of the San Lucar Pump Station site.

The motion carried by the following vote:

Yes: 5 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Martin-Milius
Councilmember Whittum
Councilmember Davis

No: 1 - Councilmember Meyering

Recused: 1 - Councilmember Griffith

Following action on Item 1.H, Councilmember Griffith returned to the dais.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2 [15-0383](#) Introduce an Ordinance Amending Chapter 9.28 (Regulation of Smoking) of Title 9 (Public Peace, Safety or Welfare) of the Sunnyvale Municipal Code to Prohibit Smoking in All Outdoor Dining Areas, Near Doorways and Other Openings to Retail and Commercial Businesses, and in All Units and Common Areas of Multi-Family Residences; Finding of CEQA Exemption Pursuant to Guideline Section 15061(b)(3) (Study Issue)

Neighborhood Preservation Manager Christy Gunvalsen and Consultant Leslie Zellers, Public Health & Public Policy Attorney, provided the staff report. City Attorney John Nagel provided additional information.

Public Hearing opened at 8:13 p.m.

Carol Baker, Co-Chair, Tobacco Free Coalition of Santa Clara County and an Ambassador for the American Cancer Society Cancer Action Network, spoke in support of a prohibition on smoking in all outdoor dining and multi-unit housing and asked that protections be added for ATM and ticket lines, and that smoking be prohibited at all public events.

Allison Chan, on behalf of Save the Bay, spoke in support of amendments to include additional outdoor spaces including smoke-free commercial areas, bus stops and other service lines, public events and public spaces. Chan spoke

regarding the impacts of cigarette butt litter.

Tim Oey spoke in support of increasing smoke free areas in Sunnyvale.

Hewitt Joyner, Breathe California, spoke in support of making units 100% smoke free and offered free educational materials and signage.

Patricia Brown spoke in support of the smoking ordinance.

Kevin Jackson spoke in support of the smoking ordinance.

Richard Kolber spoke in support of the ordinance amendments to prohibit smoking in multi-unit residences.

Russell Schaad expressed concerns regarding the responsibility of enforcement of the ordinance and asked Council to consider the fair market impacts to apartment owners.

Dan Hafeman spoke in support of the ordinance and recommended that if the housing portion cannot be agreed upon, don't disregard the outdoor prohibition. Hafeman spoke in support of Murphy Avenue being smoke free.

Selene Rojas spoke in support of the ordinance and requested it include marijuana smoke.

Cyrus Fakhari provided information regarding an electronic vapor box that limits smoke and suggested an ordinance amendment to require a deposit on cigarette butts, and recommended better signage in parks.

Public Hearing closed at 8:41 p.m.

MOTION: Councilmember Griffith moved and Mayor Hendricks seconded the motion to approve Alternative 1: Find that the activity is exempt from environmental review pursuant to CEQA Guideline 15061(b)(3) and introduce an Ordinance to amend the Sunnyvale Municipal Code (Title 9, Chapter 9.28) to prohibit smoking:

- a. in all outdoor dining areas;
 - b. within 25 feet of doorways and windows of locations where smoking is prohibited;
 - c. in common areas of multi family housing;
 - d. within 25 feet of doors and windows of multi family housing;
- and added language excluding medical marijuana.

AMENDMENT: Councilmember Whittum moved to amend the motion and Councilmember Meyering seconded to remove the language regarding medical marijuana and add Alternative 1.e. to prohibit smoking in all multi-family housing units.

The motion to amend carried by the following vote:

- Yes: 4 -** Vice Mayor Larsson
Councilmember Martin-Milius
Councilmember Whittum
Councilmember Meyering
- No: 3 -** Mayor Hendricks
Councilmember Griffith
Councilmember Davis

AMENDMENT: Councilmember Griffith moved to amend the motion and Councilmember Davis seconded to amend Alternative 1.e. to be limited to multi-family housing units that share common access ways such as corridors, ventilation units or other similar common facilities.
Councilmember Griffith withdrew the motion to amend.

AMENDMENT: Councilmember Griffith moved to amend the motion and Councilmember Whittum seconded the motion to include in the prohibitions: "within 25 feet of a public transit stop."

The motion to amend carried by the following vote:

- Yes: 6 -** Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Whittum
Councilmember Meyering
Councilmember Davis
- No: 1 -** Councilmember Martin-Milius

Councilmember Martin-Milius stated her support for a prohibition within 25 feet of a public transit stop.

FRIENDLY AMENDMENT: Councilmember Martin-Milius offered a friendly amendment to include public events such as farmers markets, service areas such as ATMs, or anywhere people are gathering, and support designated smoking areas if they meet the criteria.

Councilmember Martin-Milius withdrew the friendly amendment.

City Clerk Kathleen Franco Simmons read the ordinance title.

The main motion as amended carried by the following vote:

Yes: 6 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Martin-Milius
Councilmember Whittum
Councilmember Meyering
Councilmember Davis

No: 1 - Councilmember Griffith

MOTION: Councilmember Martin-Milius moved to include a prohibition on smoking at public events such as the Farmers Market, the Wednesday night music on Murphy Avenue, public gatherings where children are present and all service areas as listed in the report and commercial areas with high density of businesses, and to support designated smoking areas if they meet the criteria.

MOTION AMENDED BY MAKER: Councilmember Martin-Milius amended the motion to include a prohibition on smoking at service areas as listed in the report and to support designated smoking areas if they meet the criteria.
The motion died due to lack of a second.

MOTION: Councilmember Whittum moved and Councilmember Martin-Milius seconded the motion to direct staff to come back with additional information should Council wish to consider additional restrictions at areas such as previously mentioned: ATMs, Farmers Markets and public events.

The motion carried by the following vote:

Yes: 6 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Whittum
Councilmember Meyering

No: 1 - Councilmember Davis

Council recessed at 9:35 p.m.

Council reconvened at 9:45 p.m. with all Councilmembers present.

Following the recess, Council considered Item 1.F.

- 3** [16-0034](#) Support the Preferred Alignment of the Stevens Creek Trail as Recommended by the Joint Cities Working Team (JCWT) and Find that Action is Exempt from CEQA under CEQA Guidelines Sections 15262 and 15306 (Feasibility and Planning Studies and Information Collection)

Assistant City Manager Kent Steffens provided the staff report. Consultant Jana Sokale provided additional information.

Public Hearing opened at 11:15 p.m.

James Lee, resident of South Bernardo, stated the plan for a bike trail on Bernardo would be very disruptive, add several travel miles per day for residents, and impact safety.

Cyndi Iwala stated making Bernardo one-way will cause her to drive an additional 10 blocks per day when exiting Highway 85 and cause a decline in property values. Iwala encouraged Council to investigate alternate avenues with less residential impact.

Ben Davison stated he moved to the area to reduce vehicle use and commute by bicycle, and encouraged support for bicycle paths.

Kurt Wampler, resident on Bernardo between Fremont and Homestead, stated Bernardo is an important access route for residents, public safety and service vehicles and stated there is no creek side experience on this section of Bernardo and it would lower property values. Wampler stated input from the residents is missing from the staff recommendation.

Alan Ross, member of the Friends of Stevens Creek Trail, spoke in support of the Bicycle and Pedestrian Advisory Commission recommendations with the modification to consider the planning of the two segments in parallel rather than time sequenced.

Tim Oey, member of the Citizens Working Group, spoke in support of the staff recommendation and accelerating the study and planning of the Bernardo segment to be in parallel with the segment north of Fremont.

Robert Sloan spoke in support of completing the trail, encouraged Council to work

with Los Altos to purchase the land behind the medical center at Fremont and Highway 85 and to complete the trail between Mountain View and Cupertino.

Chris Somers stated he has lived on Bernardo since 1958 and suggested Bedford Avenue as an alternative.

Chuck Fry spoke in support of doing segment 1 as soon as possible and provided comments regarding segments 2 and 3.

Sasha Zbrodzck spoke in support of completion of the trail and in opposition to scaling down the trails.

Nikhil Sharma spoke in support of segment 1 and an off-street trail for segment 2 especially for families with young children.

Steve Garrity spoke in support of the trail, segment 1, and recommended doing the segment 2 study now.

Ramesh Ramaiyer, resident of Bernardo, spoke in opposition to turning Bernardo into a one-way street.

Mark Hlady, Parent Coordinator, County Safe Routes to School Program, spoke in support of the staff recommendation plan for the safety of children travelling to school.

Ben Stetson, resident on Belleville, spoke in support of segment 1, but in opposition to the idea for Bernardo, stating that many will be disrupted for the benefit of a few, and recommended waiting on segment 2.

Gary Bailey spoke regarding the importance of consideration for the fire protection plan in the location of the trail.

Kathleen Cordova spoke in opposition to routing the trail on residential streets and provided a PowerPoint presentation.

Ed Bloom, representing Homestead Villa in Cupertino, spoke in favor of a route that has the least negative impact on residents, and presented photos.

Vivian Euzent, resident on Dominion Avenue, read an excerpt of a letter to the Joint Cities Working Team and encouraged a plan that meets Google's bike vision requirements as an alternative to the Bernardo Avenue recommendation.

Bruce Euzent provided a summary of community input on the Stevens Creek Trail and a PowerPoint presentation and spoke in support of using the Mary Avenue infrastructure.

William Carpenter spoke in opposition to further disrupting Bernardo and spoke regarding the letter shown earlier from the Cupertino Union School District.

Tom LaPierre, Citizens for Responsible Trails, spoke in support of using the existing bicycle structure and minimizing the impact on the neighborhoods, and presented slides.

Kevin Jackson Bicycle and Pedestrian Advisory Commission member speaking on behalf of a majority of the commission, spoke in support of the preferred alignment recommended by the Joint Cities Working Team.

Mike Serrone spoke in support of the staff recommendation and in support of segment 1.

Garth Williams, member of the Board of Directors of the Friends of Stevens Creek Trail but speaking as a Sunnyvale resident, spoke in support of segment 1 and recommended studying segment 2 as soon as possible.

Anne Ng, resident of Cupertino and member of the Board of Directors of the Friends of Stevens Creek Trail and of the Cupertino Citizens Working Group, spoke in support of the Bernardo option, segment 1 and a traffic study.

Dave Jones, Chair of the Bicycle and Pedestrian Advisory Commission, expressed the unanimous support of the commission for the staff recommendations including a study of the Bernardo section now, and recommended studying segment 2 right away.

Steve Elich, Citizens for Responsible Trails, spoke in opposition to the Bernardo route.

Craig Hofstetter, resident of Cupertino, spoke in opposition to the Bernardo route.

Praveen Swadi, resident on Bernardo, spoke in opposition to the Bernardo route.

Elisabeth Eschelbeck spoke in opposition to the Bernardo route and urged smart trail alignment.

John Cordes, Vice Chair of the Bicycle and Pedestrian Advisory Commission speaking for himself, spoke in support of not delaying a traffic study for segment 2.

Kendrick Uemura spoke in opposition to disrupting the residents on Bernardo.

Hugh Harris, resident on Bernardo, spoke in support of constructing the trail, but expressed concerns regarding the Bernardo option.

David Ishimaru, resident of Bernardo, spoke in opposition to the Bernardo route.

Robert Kenney spoke in opposition to the Bernardo plan and recommended sticking with the plan of 20 years ago.

Cyrus Fakhari spoke regarding the cost of oil and the need to build more bike trails.

Nancy Smith spoke in support of the concept of one way streets near schools and in support of a traffic study on Bernardo.

Public Hearing closed at 12:54 a.m.

MOTION: Councilmember Griffith moved and Vice Mayor Larsson seconded the motion to approve Alternative 1 (modified), 2(a) (modified), 3, 4 and 5:

1: Support the recommended alignment of the JCWT in Study Segment 1 (Dale Avenue/Heatherstone Way to Fremont Avenue). This includes an off-street trail along the 22 acres of open space along State Route (SR) 85 from Dale Avenue/Heatherstone Way to Fremont Avenue, and connections at Fremont Avenue, on both sides of SR 85. Collaborate with Mountain View to seek out grant funding for the master planning, environmental review, and potential construction; with the inclusion of a fire study;

2(a). Upon completing environmental review and securing funding for potential construction of Study Segment 1, initiate a comprehensive traffic and parking study for an off street bicycle/pedestrian trail on Bernardo Avenue for Study Segment 2 (Fremont Avenue to Homestead Road), with the explicit requirement that prior to initiating 2(a) it must be brought back to Council for approval at a public hearing prior to moving forward;

3. Collaborate with Cupertino and Los Altos to seek out grant funding for the master planning, environmental review, and construction of Study Segment 3 (Homestead Road to Stevens Creek Boulevard) improvements at Homestead Road (i.e., the Homestead Road bridge widening or Homestead Road pedestrian/bike bridge);

4. Support our regional partners as they pursue funding for closing the gap for the Stevens Creek Trail between Mountain View and Cupertino.
5. In an effort to achieve the regional goal of extending the Stevens Creek Trail the City will support and adopt the following policies as identified in the JCWT recommendation summary:
 - a. All trail projects should try to improve habitat values in and around the Creek.
 - b. Existing public lands near Stevens Creek should be maintained as public land to preserve habitat and future trail opportunities.
 - c. The City will continue collaboration with regional partners for extension of the Stevens Creek Trail and support the alignment of a Stevens Creek Boulevard spur trail connection to Rancho San Antonio County Park.

FRIENDLY AMENDMENT: Mayor Hendricks offered a friendly amendment relating to Alternative 2(a) to specify on Bernardo a three-dimensional route to move a potential connector of Homestead to Fremont as an elevated connector. Councilmember Griffith declined to accept the friendly amendment.

FRIENDLY AMENDMENT: Mayor Hendricks offered a friendly amendment to break it into two separate motions, separating out 2(a). Councilmember Griffith accepted the friendly amendment.

REVISED MOTION: Councilmember Griffith revised the motion and Vice Mayor Larsson seconded the revised motion to approve Alternatives 1 (modified), 3, 4 and 5:

- 1: Support the recommended alignment of the JCWT in Study Segment 1 (Dale Avenue/Heatherstone Way to Fremont Avenue). This includes an off-street trail along the 22 acres of open space along State Route (SR) 85 from Dale Avenue/Heatherstone Way to Fremont Avenue, and connections at Fremont Avenue, on both sides of SR 85. Collaborate with Mountain View to seek out grant funding for the master planning, environmental review, and potential construction; with the inclusion of a fire study;
3. Collaborate with Cupertino and Los Altos to seek out grant funding for the master planning, environmental review, and construction of Study Segment 3 (Homestead Road to Stevens Creek Boulevard) improvements at Homestead Road (i.e., the Homestead Road bridge widening or Homestead Road pedestrian/bike bridge);
4. Support our regional partners as they pursue funding for closing the gap for the Stevens Creek Trail between Mountain View and Cupertino.
5. In an effort to achieve the regional goal of extending the Stevens Creek Trail the City will support and adopt the following policies as identified in the JCWT recommendation summary:

- a. All trail projects should try to improve habitat values in and around the Creek.
- b. Existing public lands near Stevens Creek should be maintained as public land to preserve habitat and future trail opportunities.
- c. The City will continue collaboration with regional partners for extension of the Stevens Creek Trail and support the alignment of a Stevens Creek Boulevard spur trail connection to Rancho San Antonio County Park.

The motion as revised carried by the following vote:

Yes: 7 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Whittum
Councilmember Meyering
Councilmember Davis

No: 0

MOTION: Councilmember Griffith moved and Vice Mayor Larsson seconded the motion to approve a new "Alternative 6" to find that the feasibility study report is exempt from CEQA under CEQA Guidelines Sections 15262 and 15306 (Feasibility and Planning Studies and Information Collection); and Alternative 2(a) Upon completing environmental review and securing funding for potential construction of Study Segment 1, initiate a comprehensive traffic and parking study for an off street bicycle/pedestrian trail on Bernardo Avenue for Study Segment 2 (Fremont Avenue to Homestead Road). If the traffic study indicates that an off street facility is desirable as determined by the Sunnyvale City Council, then proceed to seek grant funding for trail master planning, environmental review and potential construction of Study Segment 2; and
Upon completion of the environmental review and securing funding for potential construction of Study Segment 1 and upon approval by the City Council including a public hearing, initiate everything else that's in 2(a) or other action that's decided by the City Council at that time.

AMENDMENT: Councilmember Whittum moved to amend the motion and Councilmember Meyering seconded to remove consideration of the one-way configuration on Bernardo.

FRIENDLY AMENDMENT TO THE AMENDMENT: Mayor Hendricks offered a friendly amendment to also remove consideration of removal of on-street parking. Councilmember Whittum accepted the friendly amendment.

The motion to amend carried by the following vote:

Yes: 4 - Mayor Hendricks
Councilmember Whittum
Councilmember Meyering
Councilmember Davis

No: 3 - Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius

AMENDMENT: Councilmember Meyering moved to amend the motion and Councilmember Whittum seconded to include a requirement that there be a parallel and companion comprehensive traffic and parking study for a separated bicycle/pedestrian lane on Mary Avenue from Fremont Avenue to Homestead Road.

The motion to amend failed by the following vote:

Yes: 2 - Councilmember Whittum
Councilmember Meyering

No: 5 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Davis

The main motion as amended failed by the following vote:

Yes: 3 - Mayor Hendricks
Councilmember Whittum
Councilmember Davis

No: 4 - Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Meyering

MOTION: Councilmember Griffith moved and Vice Mayor Larsson seconded the motion to find that the feasibility study report is exempt from CEQA under CEQA Guidelines Sections 15262 and 15306 (Feasibility and Planning Studies and Information Collection).

The motion carried by the following vote:

Yes: 7 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Whittum
Councilmember Meyering
Councilmember Davis

No: 0

MOTION: Councilmember Griffith moved and Vice Mayor Larsson seconded to approve Alternative 2(a) Upon completing environmental review and securing funding for potential construction of Study Segment 1, initiate a comprehensive traffic and parking study for an off street bicycle/pedestrian trail on Bernardo Avenue for Study Segment 2 (Fremont Avenue to Homestead Road). If the traffic study indicates that an off street facility is desirable as determined by the Sunnyvale City Council, then proceed to seek grant funding for trail master planning, environmental review and potential construction of Study Segment 2; and Upon completion of the environmental review and securing funding for potential construction of Study Segment 1 and upon approval by the City Council including a public hearing, initiate everything else that's in 2(a) or other action that's decided by the City Council at that time.

AMENDMENT: Councilmember Whittum moved to amend the motion and Councilmember Meyering seconded to remove consideration of a one-way configuration for Bernardo.

The motion to amend failed by the following vote:

Yes: 3 - Councilmember Whittum
Councilmember Meyering
Councilmember Davis

No: 4 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius

The main motion carried by the following vote:

Yes: 4 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius

No: 3 - Councilmember Whittum
Councilmember Meyering
Councilmember Davis

MOTION: Councilmember Griffith moved and Councilmember Martin-Milius seconded the motion to continue with the remaining items on the agenda.

The motion carried by the following vote:

Yes: 4 - Mayor Hendricks
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Davis

No: 3 - Vice Mayor Larsson
Councilmember Whittum
Councilmember Meyering

Council recessed at 2:14 a.m.

Council reconvened at 2:21 a.m. with all Councilmembers present.

Following the recess, Council considered Item 5.

4 [15-1104](#) Introduce an Ordinance Amending Chapter 5.36 (Taxicabs) of the Sunnyvale Municipal Code; Adopt a Resolution Amending Related Taxicab Franchise Fees, Rates and Charges; and Find CEQA Exemption per Guideline 15061(b)(3)

Management Analyst Elaine Ketell provided the staff report.

Public Hearing opened at 10 p.m.

No speakers.

Public Hearing closed at 10 p.m.

MOTION: Councilmember Davis moved and Councilmember Griffith seconded the motion to approve Alternative 1: Introduce an Ordinance Amending Chapter 5.36 (Taxicabs) of the Sunnyvale Municipal Code; and Adopt a Resolution Amending Related Fees, Rates and Charges; and Find CEQA Exemption per Guideline 15061(b)(3).

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

Yes: 7 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Whittum
Councilmember Meyering
Councilmember Davis

No: 0

Following action on Item 4, Council considered Item 3.

- 5** [16-0126](#) Update and Possible Council Action on the Amended North County and West Valley Cities Proposal, and Funding Categories, as an Advocacy Position as Part of the Envision Silicon Valley Process

City Manager Deanna Santana and Director of Public Works Manuel Pineda provided the staff report.

Public Hearing opened at 2:40 a.m.

Carl Guardino, CEO, Silicon Valley Leadership Group, provided information on the funding categories and dollar amounts.

Public Hearing closed at 2:44 a.m.

MOTION: Councilmember Davis moved and Councilmember Whittum seconded the motion to approve Alternative 1: Support the North County and West Valley cities Proposal, and funding categories, as an advocacy position as part of the Envision Silicon Valley process.

AMENDMENT: Councilmember Griffith moved to amend the motion to support the categories listed in the proposal but not necessarily the specific allocations being proposed; removing the numbers and percentages.
Councilmember Davis accepted the amendment as a friendly amendment.

AMENDMENT: Councilmember Whittum moved to amend the motion and Councilmember Meyering seconded that the motion be revised back to Alternative

1: Support the North County and West Valley cities Proposal, and funding categories, as an advocacy position as part of the Envision Silicon Valley process.

The motion to amend failed by the following vote:

Yes: 2 - Councilmember Whittum
Councilmember Meyering

No: 5 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Davis

FRIENDLY AMENDMENT: Councilmember Martin-Milius offered a friendly amendment to add the category of low wage earner/social justice issues. Councilmember Davis accepted the friendly amendment.

The main motion as amended by friendly amendment carried by the following vote:

Yes: 7 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Whittum
Councilmember Meyering
Councilmember Davis

No: 0

At 3:15 a.m., Vice Mayor Larsson offered a point of information and referred to Council Policy 7.3.19-Council Meetings which states a supermajority vote is required to start a new item after 12:30 a.m. and no new items or other Council business will be introduced after 1:30 a.m.

MOTION: Councilmember Whittum moved to continue on, subject to the City Attorney's advice.

The motion died due to lack of a second.

MOTION: Councilmember Griffith moved and Councilmember Davis seconded the motion to waive Council Policy in order to hear Items 7, 1.D, and 1.H and bring the balance of the outstanding items at the next meeting, and the waiver applies to all votes taken after 12:30 a.m.

The motion carried by the following vote:

- Yes:** 6 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Whittum
Councilmember Davis
- No:** 1 - Councilmember Meyering

Following this action, Council considered Item 7.

- 6** [15-0957](#) Introduce an Ordinance Amending Title 18 (Subdivisions) of the Sunnyvale Municipal Code to Designate the Director of Public Works to Take Action on Final Maps and Offers of Dedication Stated on the Final Maps; Determine the Review Frequency of the Subject Delegation of Authority; and Find CEQA Exemption per Guideline 15061(b)(3)

Based on Council action after Item 5, this item was continued to the February 23, 2016 Council meeting.

- 7** [15-0988](#) Approval of Budget Modification No.17 to Appropriate Funds to Add Staff Positions in the Departments of Community Development, Public Safety and Public Works for Development Review and Construction Inspection Services and for On-call Building Inspection and Fire Inspection services, and Authority to Establish Contracts

Director of Community Development Trudi Ryan provided the staff report. City Manager Santana provided additional information.

Public Hearing opened at 3:16 a.m.

No speakers.

Public Hearing closed at 3:16 a.m.

MOTION: Councilmember Whittum moved and Councilmember Griffith seconded the motion to approve Alternatives 1 and 4: Approve Budget Modification No. 17 to provide funds to hire additional staff in the Community Development, Public Works and Public Safety Departments to respond to the workload needs for development and environmental review, construction permitting and construction inspections;

and delegate authority to the City Manager to establish temporary on call staffing contracts at levels greater than \$100,000 as necessary, so long as the appropriation limit is not exceeded.

The motion carried by the following vote:

- Yes:** 6 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Whittum
Councilmember Davis
- No:** 1 - Councilmember Meyering

Following action on Item 7, Council considered Consent Calendar Item 1.D.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

Councilmember Martin-Milius requested fish passages for Stevens Creek for steelhead be added to an upcoming agenda for discussion.

-City Manager

None.

INFORMATION ONLY REPORTS/ITEMS

- [16-0078](#) Tentative Council Meeting Agenda Calendar
- [16-0020](#) Information/Action Items
- [16-0075](#) Study Session Summary of January 14, 2016 - Council Strategic Session - Prioritization and Policy Priorities Update

ADJOURNMENT

Mayor Hendricks adjourned the meeting at 3:22 a.m.