



City of Sunnyvale

Meeting Minutes - Draft City Council

Tuesday, July 16, 2019

7:00 PM

Council Chambers, City Hall
456 W. Olive Ave., Sunnyvale, CA 94086

Regular Meeting - 7 PM

7 P.M. COUNCIL MEETING

CALL TO ORDER

Mayor Klein called the meeting to order at 7:05 p.m.

SALUTE TO THE FLAG

ROLL CALL

Present: 7 - Mayor Larry Klein
Vice Mayor Russ Melton
Councilmember Gustav Larsson
Councilmember Glenn Hendricks
Councilmember Nancy Smith
Councilmember Michael S. Goldman
Councilmember Mason Fong

CLOSED SESSION REPORT

Vice Mayor Melton reported on July 8, 2019 the Council met in Closed Session held pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS Agency designated representatives: Tina Murphy, Director of Human Resources; Kent Steffens, City Manager Employee organization: Sunnyvale Employees Association (SEA); nothing to report.

SPECIAL ORDER OF THE DAY

[19-0315](#) SPECIAL ORDER OF THE DAY - Parks and Recreation
Month

Mayor Klein presented a proclamation to Interim Director of Library and Community Services Cherise Brandell and Director of Public Works Chip Taylor in recognition of Parks and Recreation Month.

[19-0754](#) SPECIAL ORDER OF THE DAY -Recognition of Solid Waste

Programs Division Manager Upon His Retirement

Mayor Klein presented a proclamation to Solid Waste Programs Division Manager Mark Bowers in recognition of his years of service to the City.

PRESENTATION

None.

ORAL COMMUNICATIONS

Steve Scandalis requested Council consider simultaneously preparing 6-member district, with a directly elected mayor, voting system maps and 7 member district voting system maps to be used in the event that the planned ballot measure fails.

Alexander Herman, Master Councilor of Santa Clara DeMolay provided information regarding the organization's mission and of the "Obligatory Days" program.

CONSENT CALENDAR

MOTION: Vice Mayor Melton moved and Councilmember Larsson seconded the motion to approve Items 1.A through 1.I.

The motion carried by the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Melton
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman
Councilmember Fong

No: 0

1.A [19-0469](#) Approve City Council Meeting Minutes of June 25, 2019

Approve the City Council Meeting Minutes of June 25, 2019 as submitted.

1.B [19-0753](#) Approve City Council Meeting Minutes of July 8, 2019

Approve the City Council Meeting Minutes of July 8, 2019 as submitted.

1.C [19-0476](#) Approve the List(s) of Claims and Bills Approved for Payment
by the City Manager

Approve the list(s) of claims and bills.

- 1.D** [19-0553](#) Approve the First Amendment to Service Agreement with InfoSend, Inc. for Utility Billing Notification Services

Authorize the City Manager to execute the First Amendment to the Service Agreement with InfoSend, Inc., in substantially the same form as Attachment 1 of the report, for utility bill notification services to increase the not to exceed amount by \$88,445 for a new not to exceed amount of \$338,445.

- 1.E** [19-0641](#) Reject the Sole Bid Received for PW19-16 for Performing Arts Infrastructure-Orchestra Pit Cover Renovation, Award of Bid No. PW19-25 to Tochi for Performing Arts Infrastructure-Orchestra Pit Cover Renovation Re-Bid, and make a Finding of California Environmental Quality Act (CEQA) Categorical Exemption

Take the following actions:

- Reject the sole bid received in response to Invitation for Bids PW19-16 for Performing Arts Infrastructure-Orchestra Pit Cover Renovation
- Make a finding of categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302(c) for replacement or reconstruction of existing utility systems and/or facilities
- Award a contract in substantially the same form as Attachment 3 to the report in the amount of \$188,800 to Tochi of San Jose for the Performing Arts Infrastructure-Orchestra Pit Cover Renovation Re-Bid
- Authorize the City Manager to execute the contract when all necessary conditions have been met
- Approve a 10% construction contingency in the amount of \$18,880

- 1.F** [19-0656](#) Award of Contract to Citilabs, Inc. for Consultant Services Associated with Travel Demand Model Update 2018 (F19-044) and Approval of Budget Modification No. 2

Take the following actions:

- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$230,596 to Citilabs, Inc.
- Authorize the City Manager to execute the contract when all necessary conditions have been met
- Approve a contingency in the amount of \$23,060
- Approve Budget Modification No. 2 in the amount of \$47,529

- 1.H** [19-0559](#) Award of Contract to Ascent Environmental, Inc. for Updates to the Air Quality and Noise Elements of the Sunnyvale General Plan (F18-309)

Take the following actions:

- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$113,485 to Ascent Environmental, Inc.
- Authorize the City Manager to execute the contract when all necessary conditions have been met
- Approve a 10% contingency in the amount of \$11,349

- 1.G** [19-0608](#) Award of Contract to BAE Urban Economics, Inc. for Economic Development Strategic Plan Preparation and Approval of Budget Modification No. 1 in the amount of \$12,728 (F19-088)

Take the following actions:

- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$102,480 to BAE Urban Economics, Inc.
- Authorize the City Manager to execute the contract when all necessary conditions have been met
- Approve a 10% contingency in the amount of \$10,248
- Approve Budget Modification No. 1 to appropriate \$12,728 to provide project funding

- 1.I** [19-0719](#) Approve a Second Amendment to Consultant Services Agreement with CDM Smith to Support the Application and Administration of a Water Infrastructure Financing and Innovation Act (WIFIA) Loan and Approve Budget Modification No. 3 in the amount of \$847,007

Take the following actions:

- Approve the Second Amendment to Consultant Services Agreement with CDM Smith, in substantially the same for as Attachment 1 to the report, increasing the not to exceed amount by \$847,007 for a new not to exceed amount of \$16,823,046
- Authorize the City Manager to execute the Second Amendment when all necessary conditions have been met
- Approve Budget Modification No. 3 in the amount of \$897,007 to fund financing support for the Sunnyvale Clean Water Program

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [19-0610](#) REQUEST FOR CONTINUANCE TO JULY 30, 2019.

Updates to the Design Guidelines for the Murphy Station Heritage Landmark District: Adopt a Resolution Updating the Design Guidelines for the Murphy Station Heritage Landmark District, and Find that the Action is Exempt from CEQA Pursuant to CEQA Guideline Sections 15308 and 15061(b)(3). (Study Issue)

Public Hearing opened at 7:19 p.m.

No speakers.

Public Hearing closed at 7:19 p.m.

MOTION: Vice Mayor Melton moved and Councilmember Hendricks seconded the motion to continue this item to the City Council meeting of July 30, 2019.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Melton
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman
Councilmember Fong

No: 0

3 [19-0699](#) Sunnyvale Historical Society and Museum Association's Proposed Expansion of the Sunnyvale Heritage Park Museum

Superintendent of Parks and Golf Jim Stark provided the staff report and presentation.

Laura Babcock, Founder and Volunteer Director, Heritage Museum presented the association's presentation.

Public Hearing opened at 8:31 p.m.

George Kaprelian shared his opposition of the project.

Ralph Kenton, Parks and Recreation Commission Chair spoke towards the Commission's recommendation.

Bob Shouse shared his support of the project.

Beth Gibson shared her opposition of the project.

Jeff Lawson shared his opposition of the project.
Jeannine Avila shared her opposition of the project.
Lorraine Guerrero shared her opposition of the project.
Rich Surprenant shared his opposition of the project.
Lisa Fischer-Colbrie shared her opposition of the project.
Dennis Mueller shared his support of the project.
Pamela Putman shared her support of the project.
Rita Welsh shared her opposition of the project.
Ethelita Wallace shared her opposition of the project.
John Hall shared his opposition of the project.
Maria Hamilton shared her opposition of the project.
Catherine Rode commented that the loss of orchards is not due to the museum.
Janet Hamma shared her opposition of the project.
David Curley shared his opposition of the project.
Ken Cook shared his opposition of the project.
George Hamma shared his opposition of the project.
Nan Mehan shared her opposition of the project.
Niki Canota shared her opposition of the project.
Mickey Ju shared his opposition of the project.
Rich Robertson shared his opposition of the project.
Arthur Low shared his opposition of the project.
Henry Crossfield spoke on the agenda item.
Mara Beckerman Sneiderman shared her opposition of the project.
Janet Harford shared her opposition of the project.
David Ginsborg shared his opposition of the project.
Margaret Lawson shared her support of the project.
Mike Serrone shared his support of the project.

Council recessed at 9:41 p.m. and reconvened at 9:47 p.m. with all Councilmembers present.

Jim Van Pernis shared his support of the project.
Josh Grossman commented on Study Issue DPW 17-05 and suggested waiting for the Study Issue to be completed before deciding on this request.
Debbie Pitsch shared her opposition of the project.
Eri shared her opposition of the project
Janice Havey shared her support of the project.
Dixie Larsen shared her support of the project.
Richard Mehlinger shared his support of the project.

Chon Pong Ng shared his opposition of the project.
Ginger Wolnik shared her support of the project.
Steve Scandalis shared his opposition of the project.
Colleen Haggerty shared her opposition of the project.
Martin Pyne commented regarding the slippery slope fallacy.
John Pitsch shared his opposition of the project.
Joan Sire shared her opposition of the project.
Carol Holmgren shared her support of the project.
Zachary Kaufman shared his opposition of the project.
Charlie Olsen shared his opposition of the project.
Julia Miller shared her support of Alternate 3 or Alternate 2.

Public Hearing closed at 10:35 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Smith seconded the motion to direct staff to develop modifications to the Orchard Heritage Park Master plan and associated agreements and documents, including appropriate California Environmental Quality Act (CEQA) review, of Alternative Plan 1 – add an addition to the Museum at the location preferred by Sunnyvale Historical Society and Museum Association (SHSMA), with all costs including CEQA (estimated \$25,000 to \$60,000) to be fully funded by SHSMA.

The motion carried with the following vote:

Yes: 5 - Mayor Klein
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Fong

No: 2 - Vice Mayor Melton
Councilmember Goldman

Council recessed at 11:12 p.m. and reconvened at 11:14 p.m. with all Councilmembers present.

4 [19-0700](#) Updates to the Design Criteria for Wireless Telecommunication Facilities in the Public Right-of-Way: Adopt a Resolution to Update the Design Criteria for Processing Wireless Communication Facilities in the Public Right-of-Way,

and Find that the Action is Exempt from CEQA Pursuant to CEQA Guideline Section 15061(b) (3), and 15378(b).

Community Development Assistant Director Andrew Miner provided the staff report and presentation.

Public Hearing opened at 11:27 p.m.

Leon Beauchman, External Affairs Consultant, AT&T

Public Hearing closed at 11:41 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Larsson seconded the motion to adopt a Resolution (Attachment 2) to Update the Design Criteria for Processing Wireless Telecommunication Facilities in the Public Right of Way, and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guideline Sections 15061(b) (3) and 15378(b).

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Melton
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman
Councilmember Fong

No: 0

MOTION: Councilmember Hendricks moved and Councilmember Larsson seconded the motion to hear Item 5.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Melton
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman
Councilmember Fong

No: 0

- 5** [19-0491](#) Adopt a Resolution Confirming the Report and Assessment List for Unpaid Administrative Citations to be Placed on the FY 2019/20 County of Santa Clara Property Tax Roll, and Find that this Action is Exempt from CEQA

Finance Director Tim Kirby provided the staff report.

Public Hearing opened at 11:46 p.m.

No speakers.

Public Hearing closed at 11:46 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Larsson seconded the motion to find that the action is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378 (b) (4) in that it is a governmental fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment and adopt a resolution confirming the amended Report and Assessment List for unpaid administrative fines to be placed on the FY 2019/20 County of Santa Clara Property Tax Roll.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
 Vice Mayor Melton
 Councilmember Larsson
 Councilmember Hendricks
 Councilmember Smith
 Councilmember Goldman
 Councilmember Fong

No: 0

MOTION: Councilmember Smith moved and Councilmember Hendricks seconded the motion to hear the remainder of the agenda.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Melton
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman
Councilmember Fong

No: 0

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Larsson shared his attendance at a California United Water Conference as a Bay Area Water Supply and Conservation Agency Board Member. Key points from the conference were shared which focused on issues affecting the headwaters.

Councilmember Smith reported that the CalTrain Business Plan will be released within the week and includes three service level proposals. Council may want to provide input on preferred proposal. The comment period will be open for approximately one month.

Councilmember Smith shared her attendance at the Recycling and Waste Reduction Committee meeting. The Bay Area Air Quality Management District has released draft amendments to Regulation 13-2 to regulate odors produced by composting facilities which would impact Sunnyvale's SMaRT Station.

Councilmember Smith shared her attendance at policy committee meetings for Silicon Valley Clean Energy and League of California Cities.

Councilmember Fong shared his attendance at a Valley Transportation Authority State Route 85 Corridor Policy Advisory Committee meeting. The Committee approved moving forward with studying alternatives that would evaluate converting the median into a transit lane or express lane.

NON-AGENDA ITEMS & COMMENTS

-Council

None.

-City Manager

None.

INFORMATION ONLY REPORTS/ITEMS

- [19-0112](#) Information/Action Items
- [19-0381](#) Board/Commission Meeting Minutes
- [19-0622](#) Study Session Summary of April 15, 2019 - Draft Climate Action Playbook (Joint Study Session of the Sustainability Commission, Planning Commission, and Bicycle and Pedestrian Advisory Commission)
- [19-0637](#) Notice of Public Works Director's Decision on Final Maps (Information Only)
- [19-0387](#) Tentative Council Meeting Agenda Calendar

ADJOURNMENT

Mayor Klein adjourned the meeting at 11:53 p.m.