



City of Sunnyvale

Meeting Minutes City Council

Tuesday, January 28, 2014

5:00 PM

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

**Special Meeting - Closed Sessions 5 PM | Special Meeting - Study Session 6 PM |
Regular Meeting - 7 PM**

CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL

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

(Councilmember Whittum attended via teleconference)

CLOSED SESSION REPORTS

Closed Session pursuant to California Government Code Section 54957, Public Employee Appointment - City Manager: Vice Mayor Davis reported Council met with the consultant that is working with the City with regard to the hiring of the new city manager; discussions were held, direction was given, no action was taken.

Closed Session pursuant to California Government Code Section 54957.6, Conference with Labor Negotiators - Sunnyvale Managers Association: Vice Mayor Davis reported Council met with the lead City negotiator with regard to negotiations between the Sunnyvale Management Association and the City of Sunnyvale; discussions were held, direction was given, no action was taken.

PUBLIC ANNOUNCEMENTS

None.

CONSENT CALENDAR

Councilmember Meyering pulled Items 1.A, 1.B and 1.C from the Consent Calendar.

MOTION: Vice Mayor Davis moved and Councilmember Hendricks seconded the motion to approve the Consent Calendar with the exception of Items 1.A, 1.B and 1.C. The motion carried by the following vote:

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

No: 0

Mayor Griffith announced Items 1.A, 1.B, and 1.C would be handled following the regular Public Hearing / General Business items.

Following action on Public Hearing Item 3, Council handled the remaining Consent Calendar items.

Councilmember Meyering requested a No vote be recorded for him for Items 1.A, 1.B, and 1.C.

MOTION: Vice Mayor Davis moved and Councilmember Hendricks seconded the motion to approve Items 1.A, 1.B and 1.C. The motion carried by the following vote:

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

No: 1 - Councilmember Meyering

1.A [14-0082](#) Approval of City Council Meeting Minutes of January 7, 2014
Approve the City Council Meeting Minutes of January 7, 2014 as submitted.

1.B [14-0040](#) Approval of City Council Meeting Minutes of January 14, 2014
Approve the City Council Meeting Minutes of January 14, 2014 as submitted.

- 1.C** [14-0089](#) List(s) of Claims and Bills Approved for Payment by the City Manager

Approve the list(s) of bills.

- 1.D** [14-0074](#) Award of Contract for Automated External Defibrillators (F14-46)

Award a contract in the amount of \$129,057, in substantially the same form as the attached draft purchase order, to HeartReady for 59 automated external defibrillators and accessories.

- 1.E** [14-0077](#) Authorize the City Manager to Execute the Funding Agreement Between the City of Sunnyvale and the Santa Clara Valley Transportation Authority for 2010 Vehicle Registration Fee Countywide Program, Increase the Hendy Avenue Complete Street Improvements Construction Contract Contingency by \$450,000, Increase the Contingency for the Consultant Services Agreement Between the City of Sunnyvale and Bellecci & Associates, Inc. for the Design and Construction Support Services for Hendy Avenue Complete Street Project by \$22,000, and Adopt a Finding of Categorical Exemption per CEQA Guidelines 15330 (b)(5)

1. Authorize the City Manager to Execute the Funding Agreement Between the City of Sunnyvale and the Santa Clara Valley Transportation Authority for 2010 Vehicle Registration Fee Countywide Program,
2. Increase the Hendy Avenue Complete Street Improvements Construction Contract Contingency by \$450,000,
3. Increase the contingency for the Consultant Services Agreement Between the City of Sunnyvale and Bellecci & Associates, Inc. for the Design and Construction Support Services for Hendy Avenue Complete Street Project by \$22,000, and
4. Adopt a Finding of Categorical Exemption per CEQA Guidelines 15330 (b) (5).

- 1.F** [14-0085](#) Rejection of Bids for Sanitary Sewer Lift Stations Rebuild (PW14-03)

Reject all bids received in response to Invitation for Bids No. PW14-03 for Sanitary Sewer Lift Stations Rebuild.

- 1.G** [14-0088](#) Approve Budget Modification No. 25 to Appropriate \$93,500 of Department of Homeland Security, State Homeland Security Grant Program Funds for Training

Approve Budget Modification No. 25 to appropriate \$93,500 of Department of Homeland Security, State Homeland Security Grant Program Funds for Training to two new projects, FFY 2013 SHSGP - Training - Blue Card Command and FFY 2013 SHSGP - Training - Emergency Volunteer Program.

1.H [14-0091](#) Authorization to Modify Existing Contracts for Citywide Temporary Personnel Placement Services for the Department of Human Resources (F14-55)

1. Approve modification of existing contracts with AppleOne Employment Services and Coast Personnel Services, Inc. by increasing the not-to-exceed value to \$200,000 each; and
2. Delegate authority to the City Manager to renew the contracts for three additional one-year periods consistent with the terms of Request for Proposals No. F1103-56, provided pricing and service remain acceptable.

PUBLIC COMMENTS

Laura Babcock provided a revised request of Sunnyvale Historical Society's earlier request for a budget modification for the relocation of the 1912 Butcher's Corner house to save it for historical purposes. Babcock stated the Society has obtained a matching funds grant \$500,000, and if the funds are provided in the form of a grant, the Society will manage the project in partnership with the City.

Maria Pan spoke regarding communications she has had with Councilmember Martin-Milius.

Holly Lofgren spoke in support of ranking three items high enough for study in 2014: the intersection at Wolfe, El Camino and Fremont, the proposal to reconfigure Wolfe Road or combine the two studies, and the item regarding residential properties in the El Camino Precise Plan. Lofgren expressed concerns regarding the Historical Society's request for a budget modification and whether that would affect the annexation of the Butcher corner property.

Dan Hafeman spoke in support of study issues DPW 14-15, entering into an agreement with Santa Clara Unified School District for joint-use of Petersen field, and DPW 14-09, regarding Downtown lighting.

PUBLIC HEARINGS/GENERAL BUSINESS

2 [14-0101](#) 2013-7142 Discussion and Possible Action to Adopt Design Guidelines for Bird-safe Buildings (Study Issue)

Principal Planner Andy Miner presented the staff report.

Public hearing opened at 7:42 p.m.

Mike Ferreira, Conservation Chair of the Loma Prieta Chapter of the Sierra Club, spoke in favor of moving forward with bird-safe design guidelines.

Russ Melton, Chair of the Planning Commission, presented the commission's recommendation to make no changes to public policy until such time that relevant, local Sunnyvale data as to the magnitude of the problem can be sourced.

Jan Hintermeister spoke regarding numerous instances of birds hitting windows at one two-story building in Sunnyvale since 2001, and provided samples of preserved dead Cedar Waxwings. Hintermeister urged adoption of bird-safe design guidelines.

Anaya and Mitali Khanzode requested support for a bird-safe ordinance.

Kira Od spoke in support of bird-safe design and recommended focusing on what is known to work such as avoiding mirrored glass or open views from window to window.

Stephanie Ellie, Director, Santa Clara Valley Audubon Society, provided information and a PowerPoint presentation in support of bird-safe design.

Irene Steves, Audubon Society, continued the PowerPoint presentation on bird-safe design.

Shani Kleinhaus, Audubon Society, continued the PowerPoint presentation, and requested to adopt the proposed bird-safe design guidelines.

Gloria Bechtler spoke in support of bird-safe building design guidelines.

Lisa Karpinski spoke in support of starting with the bird-safe building design guidelines and work toward development of an ordinance.

Leena Khanzode spoke in support of making strong recommendations for the bird-safe design guidelines and to move forward with an ordinance.

Public hearing closed at 8:20 p.m.

MOTION: Councilmember Martin-Milius moved and Councilmember Whittum seconded the motion to adopt the guidelines as preliminary informational data going forward and approve Alternative 1: Establish the guidelines listed in Attachment 4 to include appropriate bird-safe designs in project designs. Guidelines include: a. Specific guidelines for projects located within 300 feet of the bay and/or body of water, the total of which exceeds one acre in size, and/or adjacent to a landscaped area, open space or park larger than one acre in size; b. City-wide guidelines for other areas; and c. Monitoring efforts; and add a condition that says no mirrored glass, and additionally look at developing an ordinance in two years.

FRIENDLY AMENDMENT: Councilmember Hendricks offered a friendly amendment to adjust the language that is in the attachment so that it actually says "guidelines" as opposed to "required". Councilmember Martin-Milius accepted the friendly amendment.

The motion as amended carried by the following vote:

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

No: 1 - Vice Mayor Davis

- 3** [14-0073](#) Discussion and Possible Action Regarding the City's Long Term Trash Reduction Plan and Determination that Project is Exempt from CEQA

Director of Environmental Services John Stufflebean presented the staff report.

Public Hearing opened at 8:59 p.m.

No speakers.

Public Hearing closed at 8:59 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Martin-Milius seconded the motion to approve Alternative 1: Authorize the City Manager to submit the Long Term Trash Reduction Plan to the Regional Water Quality Control Board by February 1, 2014 as required by the Regional Stormwater Permit. The motion carried by the following vote:

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

No: 0

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Whittum reported on a meeting of the VTA Board of Directors of January 9th.

Vice Mayor Davis reported on meetings of the VTA Policy Advisory Committee, the Automated Transportation Working Group, and the North County Winter Shelter Task Force. Davis reported he represented the City at the Taiwanese American Federation New Year celebration and the Santa Clara County State of the County event.

Councilmember Martin-Milius reported on a meeting of the Santa Clara County Water Commission.

Councilmember Larsson reported on a meeting of Bay Area Water Supply and Conservation Agency (BAWSCA).

Mayor Griffith reported his attendance at the recent U.S. Conference of Mayors.

NON-AGENDA ITEMS & COMMENTS

-Council

Mayor Griffith requested in future, to avoid scheduling meetings on the same night as the State of the Union.

-City Manager

Interim City Manager Robert Walker reported the Study Issues and Budget Issues are posted on the City website.

INFORMATION ONLY REPORTS/ITEMS

- [14-0099](#) Information/Action Items
- [14-0100](#) Planning Commission Unscheduled Vacancies (Information Only)
- [14-0087](#) Study Session Summary of December 17, 2013 - Shuttle Buses - Effective Shuttle Systems and the State of Shuttle Buses in Sunnyvale

ADJOURNMENT

Mayor Griffith adjourned the meeting at 9:19 p.m.