



# City of Sunnyvale

## Meeting Minutes City Council

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Tuesday, May 20, 2014

6:00 PM

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

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**Special Meeting: Joint Study Session-6 P.M. | Regular Meeting-7 P.M.**

### **7 P.M. COUNCIL MEETING**

#### **CALL TO ORDER**

Mayor Griffith called the meeting to order in Council Chambers.

#### **SALUTE TO THE FLAG**

Mayor Griffith led the 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

#### **CLOSED SESSION REPORT**

None.

#### **SPECIAL ORDER OF THE DAY**

[14-0488](#)

SPECIAL ORDER OF THE DAY - National Public Works  
Week

Mayor Griffith presented a proclamation to Director of Public Works Kent Steffens regarding Public Works Week. Director Steffens provided a PowerPoint presentation regarding the services provided by the Department of Public Works.

#### **PUBLIC ANNOUNCEMENTS**

Councilmember Larsson announced the upcoming second annual Our Kids - Our Community event.

**PRESENTATIONS**

**14-0397**      PRESENTATION - Commendation from Santa Clara County  
for Safe Routes to School Project

Bonnie Broderick, Santa Clara County Public Health Department, presented the Safe Routes to School commendation to the City.

**14-0439**      PRESENTATION - Santa Clara County Tobacco-Free  
Coalition

Carol Baker and Patricia Brown, representing the Tobacco-Free Coalition of Santa Clara County, presented an award honoring World Tobacco-Free Day.

**CONSENT CALENDAR**

Councilmember Meyering requested to pull Items 1.A, 1.B, 1.D, 1.F, 1.J, 1.L and 1.Q.

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, 1.D, 1.F, 1.J, 1.L and 1.Q. 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 the items pulled from the Consent Calendar would be handled following the public hearing general business portion of the agenda.

**1.A**      **14-0301**      Approval of City Council Meeting Minutes of May 6, 2014

MOTION: Councilmember Whittum moved and Vice Mayor Davis seconded the motion to approve the City Council Meeting Minutes of May 6, 2014 as submitted. 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.B**     [14-0502](#)     Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

MOTION: Councilmember Whittum moved and Vice Mayor Davis seconded the motion to approve the list(s) of claims and bills. 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.C**     [14-0293](#)     Approve a Five Year Agreement Between the City of Sunnyvale and the Friends of the Sunnyvale Public Library for FY 2014/15 - FY 2019/20

Approve the five-year agreement between the City and the Friends of the Sunnyvale Public Library, in substantially the same form as set forth in Attachment 1, and authorize the Interim City Manager to enter into the agreement by June 30, 2014.

**1.D**     [14-0419](#)     Approval of the Final Map (Tract No. 10242) - 105 Residential Condominium Units at 455 and 465-481 South Mathilda Avenue by SHAC South Mathilda Avenue, LLC

MOTION: Councilmember Whittum moved and Vice Mayor Davis seconded the motion to approve the final map for Tract No. 10242; authorize the Mayor to sign the subdivision agreement upon submittal of other documents deemed necessary by the Director of Public Works; and direct the City Clerk to sign the City Clerk's Statement and forward the final map for recordation. 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.E**      [14-0437](#)      Approve Budget Modification No. 38 to Appropriate \$5,000 of Books4U 2014-Common Core Grant Funds for the purpose of adding Common Core curriculum books to the library collection.

Approve Budget Modification No. 38 to appropriate California State Library grant funds in the amount of \$5,000 to a new project, Books 4U 2014-Common Core.

- 1.F**      [14-0450](#)      Award of Contract for Design of Community Center Infrastructure Renovation Project (F14-44)

Public hearing opened at 11:50 p.m.

No speakers.

Public hearing closed at 11:50 p.m.

MOTION: Vice Mayor Davis moved and Councilmember Hendricks seconded the motion to 1) Award a contract, in substantially the same format as Attachment 1 and in the amount of \$685,983, to Cody Anderson Wasney Architects, Inc., for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 2) Approve a 10% design contingency in the amount of \$68,598. 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**

- 1.G**      [14-0458](#)      Award of Six On-call Contracts for the Departments of Environmental Services and Public Works for Engineering and Related Services (F14-21)

1) Award three (3) three-year on-call contracts for construction management services, each in the amount of \$375,000 and in substantially the same form as the template in Attachment 1 to CSG Consultants Inc., Ghirardelli Associates, and Swinerton Management & Consulting; 2) award three (3) three-year on-call contracts for wastewater engineering/technical support services, each in the amount of \$300,000 and in substantially the same form as the template in Attachment 1 to Black & Veatch Corporation, Carollo Engineers, and HDR Engineering Inc.; and 3) delegate authority to the City Manager to extend the contracts for up to four additional years based upon available funding, need, pricing and service. Contract extension period(s) shall not exceed the annualized amounts of \$125,000 for construction management services and \$100,000 for wastewater engineering/technical support services without prior Council approval.

- 1.H**      [14-0459](#)      Adopt a Resolution in Support of the City's Application for Household Hazardous Waste Grant Funds and Act as Lead Agency for a Regional Program

Adopt the resolution authorizing submittal of regional grant application(s) for all CalRecycle grants for which City of Sunnyvale is eligible, as presented in Attachment 1.

- 1.I**      [14-0466](#)      Award of a Contract for Condition Assessment and Design of Storm Pump Station Number 1 Rehabilitation (F14-49)

1) Award a contract, in substantially the same format as Attachment 1 and in the amount of 263,589 (\$175,066 in Base Services and optional services in an amount not to exceed \$88,523), to Infrastructure Engineering Corporation for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 2) Approve a 10% design contingency in the amount of \$26,359.

- 1.J**      [14-0473](#)      Approve HOME Investment Partnership Act (HOME) Loan Agreement with MP East Maude Associates, L.P., an affiliate of MidPen Housing Corporation, for a Loan of \$1.3 Million to Develop MidPen Armory Apartments at 620 E. Maude in Sunnyvale

Public hearing opened at 11:55 p.m.

No speakers.

Public hearing closed at 11:55 p.m.

MOTION: Vice Mayor Davis moved and Councilmember Hendricks seconded the motion to approve the HOME Loan Agreement between the City of Sunnyvale and MP East Maude Associates, L.P. in substantially the form provided in Attachment 1,

and authorize the City Manager to execute the agreement and associated loan documents in final form as approved by the City Attorney. 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.K**      [14-0480](#)      Award of Contract for Design of Mary-Carson Water Tanks Interior Refurbishment (F14-61) and Approval of Budget Modification No. 40

1) Award a contract, in substantially the same format as Attachment 1, and in the amount of \$146,558, to V&A Consulting Engineers for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; 2) Approve a 10% design contingency in the amount of \$14,656; and 3) Approve Budget Modification No. 40 to provide funding for this project.

**1.L**      [14-0484](#)      Approval of the Final Map (Tract No. 10223) - 17 Residential Townhome Units at 435 Toyama Drive by Classic 435 Toyama, LP

Mayor Griffith reported he has an interest in property within 500 feet, recused himself and left the room. Vice Mayor Davis presided during consideration of this item.

MOTION: Councilmember Whittum moved and Councilmember Hendricks seconded the motion to approve the final map for Tract No. 10223; authorize the Mayor to sign the subdivision agreement upon submittal of other documents deemed necessary by the Director of Public Works; and direct the City Clerk to sign the City Clerk's Statement and forward the final map for recordation. The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

**Recused:** 1 - Mayor Griffith

Following action on this item, Mayor Griffith returned to the room and took his seat at the dais.

- 1.M**      [14-0485](#)      Authorization to Amend an Existing Contract for Design of a Sodium Hypochlorite Disinfection System for the Water Pollution Control Plant (F14-75)

Authorize an amendment to an existing contract, in substantially the same format as Attachment 1, with HDR Engineering, Inc., for design services associated with a new sodium hypochlorite disinfection system at the Water Pollution Control Plant to increase the total contract value by \$75,000 for additional services, bringing the total contract value to \$435,180.

- 1.N**      [14-0486](#)      Appoint New Members to the NOVA Workforce Board

Appoint Ms. Sinead Borgersen, Mr. Julian Chu, Mr. Ben Field, Ms. Anita Manwani, and Ms. Jennifer Morrill to the NOVA Workforce Board.

- 1.O**      [14-0499](#)      Authorization to Amend an Existing Contract for Asphaltic Materials (F14-79)

Authorize an amendment to an existing contract, in substantially the same format as Attachment 1, with Graniterock Company to increase the total contract value by \$75,000, from \$500,000 to \$575,000, for additional asphaltic materials required by the Water and Sewer Systems Division for roadway patches.

- 1.P**      [14-0503](#)      Approve Budget Modification No. 41 to Appropriate Additional Grant Funds, Increase the NOVA Expenditures Budget, and Increase the Transfer to the General Fund to Cover Indirect Costs Incurred by the City in Administering these Grants for FY 2013/14

Approve Budget Modification No. 41 to appropriate additional grant funds, increase the NOVA Expenditures Budget, and increase the transfer to the General Fund to cover indirect costs incurred by the City in administering these grants for FY 2013/14.

- 1.Q**      [14-0521](#)      Adoption of Ordinance No. 3039-14 to add Chapter 19.47 to Title 19 (Zoning) of the Sunnyvale Municipal Code relating to Off-Site Stadium Event Parking

MOTION: Councilmember Whittum moved and Vice Mayor Davis seconded the motion to adopt Ordinance No. 3039-14. 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**

### **PUBLIC COMMENTS**

Richard Walrod spoke regarding issues with big rigs parking in the San Miguel neighborhood.

Greg Herrera spoke regarding fairness in the tow company rotation in the City.

Donna Lang, owner of Tangerine Gifts and Accessories, spoke regarding the need for a safe parking solution for downtown merchants and employees on Murphy Avenue.

Rosimeire Osorio spoke regarding the parking situation for downtown merchants and requested a parking permit.

John Gotthold inquired as to the location of a Sunnyvale Hydrogen Fuel station.

### **PUBLIC HEARINGS/GENERAL BUSINESS**

**2**      [14-0212](#)      Appoint Applicants to Boards and Commissions

City Clerk Kathleen Franco Simmons presented the staff report.

Arts Commission (1 term to 6/30/2017, 1 term to 6/30/2018):

Kiphuth, Roberta

VOTE: 6 - 0 - 1 (Councilmember Meyering abstained)

Springer, Wendy

VOTE: 2 - 0 - 5 (Vice Mayor Davis, Mayor Griffith, Councilmembers Martin-Milius, Larsson and Hendricks abstained)

Valenzuela, Kenneth

VOTE: 2 – 0 – 5 (Councilmember Whittum, Vice Mayor Davis, Mayor Griffith, Councilmembers Martin-Milius and Hendricks abstained)



MOTION: Councilmember Hendricks moved and Councilmember Larsson seconded the motion to appoint Roberta Kiphuth to the term expiring 6/30/2018.

VOTE: 6 – 0 – 1 (Councilmember Meyering abstained)

City Clerk Kathleen Franco Simmons announced Roberta Kiphuth was appointed to the Arts Commission to a term expiring 6/30/2018.

Bicycle and Pedestrian Advisory Commission (2 - Category 1, 2 - Category 2; 2 terms to 6/30/2017, 2 terms to 6/30/2018):

BPAC Category 2

Cordes, John

VOTE: 7 – 0

Rausch, Angela

VOTE: 7 – 0

MOTION: Councilmember Whittum moved and Councilmember Hendricks seconded the motion to appoint John Cordes and Angela Rausch to terms ending 6/30/2018.

VOTE: 7 – 0

BPAC Category 1

Headley, Michael

VOTE: 6 - 0 - 1 (Councilmember Hendricks abstained)

Jones, David

VOTE: 7 – 0

City Clerk Kathleen Franco Simmons announced Michael Headley and David Jones have been appointed to terms ending 6/30/2017.

Board of Building Code Appeals (2 terms to 6/30/2015, 1 term to 6/30/2016, 1 term to 6/30/2017):

Kisyova, Petya

VOTE: 7 – 0

MOTION: Councilmember Hendricks moved and Councilmember Larsson seconded the motion to appoint Petya Kisyova to the term expiring 6/30/2015.

VOTE: 7 – 0

Personnel Board (Employee Nominated Seat) (1 term to 6/30/2018):

Oberman, Traci

VOTE: 7 – 0

City Clerk Kathleen Franco Simmons announced Traci Oberman has been appointed to the Personnel Board to a term ending 6/30/2018.

Sustainability Commission (at least 1 from Category 2; 1 term to 6/30/2017, 2 terms to 6/30/2018):

Category 1

Au, Wing -Yin (Carey) - Category 1

VOTE: 1 - 0 - 6 (Councilmember Whittum, Vice Mayor Davis, Mayor Griffith, Councilmembers Martin-Milius, Larsson and Hendricks abstained)

Kisyova, Petya - Category 1

VOTE: 7 – 0

Srivastava, Amit - Category 1

VOTE: 7 – 0

MOTION: Councilmember Hendricks moved and Councilmember Larsson seconded the motion to appoint Petya Kisyova and Amit Srivastava to Sustainability Commission Category 1 to the terms ending 6/30/2018.

City Clerk Kathleen Franco Simmons announced that a vacancy remains on the Sustainability Commission in Category 2.

Planning Commission (2 terms to 6/30/2018):

Au, Wing-Yin (Carey)

VOTE: 0 – 0 – 7 (All Councilmembers abstained)

Deep, Richard

VOTE: 1 – 0 – 6 (Councilmember Whittum, Vice Mayor Davis, Mayor Griffith,

Councilmembers Martin-Milius, Larsson and Hendricks abstained)

Franz, Katherine (Katy)

VOTE: 1 – 0 – 6 (Councilmembers Meyering, Councilmember Whittum, Vice Mayor Davis and Councilmembers Martin-Milius, Larsson and Hendricks abstained)

Harrison, Sue

VOTE: 6 – 0 – 1 (Councilmember Meyering abstained)

Pathak, Narendra

VOTE: 1 – 0 – 6 (Councilmember Meyering, Vice Mayor Davis, Mayor Griffith, Councilmembers Martin-Milius, Larsson and Hendricks abstained)

Rheume, Ken

VOTE: 7 – 0

Wade, Kevon (only preference)

VOTE: 2 – 0 – 5 (Vice Mayor Davis, Mayor Griffith, Councilmembers Martin-Milius, Larsson and Hendricks abstained)

City Clerk Kathleen Franco Simmons announced Sue Harrison and Ken Rheume have been appointed to the Planning Commission for terms expiring 6/30/2018.

Board of Library Trustees (1 term to 6/30/2018):

Au, Wing-Yin (Carey)

VOTE: 7 – 0

City Clerk Kathleen Franco Simmons announced Wing-Yin Au has been appointed to the Board of Library Trustees for a term expiring 6/30/2018.

Heritage Preservation Commission (2 terms to 6/30/2018):

Mouritsen, Dale

VOTE: 7 – 0

Valenzuela, Kenneth

VOTE: 2 – 0 – 5 (Councilmember Whittum, Vice Mayor Davis, Mayor Griffith, Councilmembers Larsson and Hendricks abstained)

City Clerk Kathleen Franco Simmons announced Dale Mouritsen has been

appointed to the Heritage Preservation Commission for a term expiring 6/30/2018 and one vacancy remains.

Housing and Human Services Commission (1 term to 6/30/2018):

Chiu, Dennis

VOTE: 6 – 0 – 1 (Councilmember Meyering abstained)

Pathak, Narendra

VOTE: 3 – 0 – 4 (Vice Mayor Davis, Mayor Griffith, Councilmembers Martin-Milius and Larsson abstained)

City Clerk Kathleen Franco Simmons announced Dennis Chiu has been appointed to the Housing and Human Services Commission to a term expiring 6/30/2018.

Parks and Recreation Commission (1 term to 6/30/2018):

Springer, Wendy

VOTE: 2 – 0 – 5 (Councilmember Whittum, Mayor Griffith, Councilmembers Martin-Milius, Larsson and Hendricks abstained)

City Clerk Kathleen Franco Simmons announced a vacancy remains on the Parks and Recreation Commission.

- 3**      [14-0290](#)      Climate Action Plan to Achieve State Recommended  
Greenhouse Gas Emissions Reduction Goals in Assembly Bill  
32: California Global Warming Solutions Act of 2006  
Environmental Review: Negative Declaration

Principal Planner Geri Caruso presented the staff report. Director of Community Development Hanson Hom and Tammy Seal and Leanne Singleton of Pacific Municipal Consultants provided additional information.

Public Hearing opened at 8:37 p.m.

Giancarlo Alfano, Homestead High School student, spoke regarding the consequences of not taking action on the Climate Action Plan (CAP).

Emily Zhou, Homestead High School student, spoke in support of approval of the CAP.

Jessica Epstein, Silicon Valley Association of Realtors, provided information regarding EC3.1 relating to a mandatory energy and water audit at the time of sale

and recommended development of a program such as the one in Los Altos which is an energy self-audit checklist for remodeling in energy efficient ways.

Mary Combes, realtor, requested removal of point of sale from the CAP due to the burden on home sellers.

Joanna Flamenco, on behalf of Homestead High School, spoke in support of the CAP and submitted a petition containing over 330 signatures.

Ronnie Cohen, Homestead High School, spoke in support of the CAP.

Holly Lofgren spoke in support of the adoption of the CAP and requested a proviso that when staff considers the development of a particular size, they must include the CAP calculation of net increase or decrease of GHG, and those projects which create greater GHG must be declined; and include exemptions for schools, parks, recreational sites and places of assembly. Lofgren suggested it should be expressly stated by Council that the adoption of the CAP does not imply the inverse policy.

Tammy Qualls spoke in support of voting on the entire CAP.

John Cordes spoke in support of the CAP and an accelerated implementation.

Thom Mayer spoke in support of approval of the CAP.

Dan Hafeman spoke in support of approval of the CAP and provided recommendations on making it stronger. Hafeman suggested regarding EC3.1 the audit could be removed if the City had a program that required homeowners to make improvements. Hafemen suggested a focus on building efficiency, renewable energy and transportation and a goal of no net traffic increase.

Gary Bailey spoke in support of approval of the CAP.

Barbara Williams spoke in support of the CAP but in opposition to the point of sale.

Kevin Jackson, Horizon 2035 Committee member and BPAC member speaking for himself, spoke in support of approval of the CAP.

Margaret Lawson spoke regarding climate change and the importance of approving the CAP.

Sharlene Liu spoke in support of the CAP and urged adoption in its entirety.

Barbara Fukumoto spoke in support of Community Choice Aggregation, adoption of the CAP and implementation with urgency.

Serge Melle spoke in support of a measure to provide grey water to residences for landscaping.

Public Hearing closed at 9:17 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Larsson seconded the motion to:

- Approve the Negative Declaration;
- Adopt the Climate Action Plan with Implementation Program with the following modifications: in EC3.1 remove the phrase "at time of point of sale", to come back in an appropriate timeframe with a replacement action that requires an in home energy audit but find a different way to do it to get to the totality of homes in the City in a much faster period, and when it comes back, include, as appropriate, any changes that make sense from the public and Council;
- Direct staff to move forward with "just do it" CAP Action Items;
- Direct staff to prepare a CAP CEQA checklist to determine future project consistency with the CAP for all departments to use for public and private projects;
- Direct staff to come back to Council within four months with a timeline, work plan and possible funding strategies for CAP GHG emission reduction measures; and
- Direct staff to come back within four months with a recommendation for securing a CAP monitoring program with a proposed budget modification as needed.

AMENDMENT: Councilmember Meyering moved an amendment to include a provision under OVT, which would be OVT-4, on page 3-33, page 85 of 222 to implement a no new automobile trip policy with regard to new development in Sunnyvale.

Motion died due to lack of a second.

The motion carried by the following vote:

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

**No:** 0

**Abstain:** 1 - Councilmember Meyering

MOTION: Councilmember Whittum moved and Councilmember Meyering seconded the motion to ask staff to consider one of the following: developing a plan for progressively higher alternative mode share requirements for TDM for new development, and/or when updating specific plans consider incorporating a special assessment district or transportation management association approach to provide funding for alternative commute modes. The motion failed by the following vote:

**Yes:** 2 - Councilmember Whittum  
Councilmember Meyering

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

Council recessed at 9:56 p.m.

Council recessed at 10:08 p.m. with all members present.

- 4      [14-0280](#)      Establish a City Advocacy Position on Minimum Wage, and Provide Further Input Regarding Creation of a Local Minimum Wage Ordinance, Including Enforcement and Implementation of Such Ordinance (Study Issue)

Economic Development Manager Connie Verceles presented the staff report.

Public Hearing opened at 10:28 p.m.

Louise Auerhahn, Working Partnerships, spoke in support of adoption of a local minimum wage ordinance.

Javier Gonzalez, representing California Restaurant Association, urged Council to consider remaining consistent with the State minimum wage law, or if Council chooses to create an ordinance, encouraged consideration of exemptions to the ordinance.

Marie Bernard, Sunnyvale Community Services, provided information regarding minimum wage earners and the impact on them to wait another year.

Poncho Guevara, Executive Director, Sacred Heart Community Service, spoke regarding improvements that have resulted from the minimum wage ordinance in

San Jose.

Public Hearing closed at 10:49 p.m.

MOTION: Vice Mayor Davis moved and Mayor Griffith seconded the motion to:

1. Take an Advocacy Position:
  - a. Adopt a new long-term advocacy position as presented: Supporting the quality of life in Sunnyvale, the City would support legislation to increase the current minimum wage or tie future increases to Consumer Price Index (CPI) for the rate of inflation.
2. Direct staff to create a Minimum Wage Ordinance with annual increases tied to CPI.
3. Do not provide any exemptions.
4. Direct staff to explore options for contract enforcement of the ordinance and return to Council with findings.

FRIENDLY AMENDMENT: Councilmember Martin-Milius offered a friendly amendment to tie it to the CPI and review every other year by Council. Vice Mayor Davis accepted the friendly amendment.

FRIENDLY AMENDMENT: Councilmember Martin-Milius offered a friendly amendment to exempt people under age of 18. Vice Mayor Davis declined to accept the friendly amendment.

FRIENDLY AMENDMENT: Councilmember Martin-Milius offered a friendly amendment that if you have salary plus tips equal to 40% over the minimum wage based on the first three months or so of participation, they could be exempt. Vice Mayor Davis declined to accept the friendly amendment.

FRIENDLY AMENDMENT: Councilmember Martin-Milius offered a friendly amendment to exempt companies with less than 10 employees. Vice Mayor Davis declined to accept the friendly amendment.

FRIENDLY AMENDMENT: Councilmember Larsson offered a friendly amendment to also consider options for in-house City enforcement. Vice Mayor Davis accepted the friendly amendment.

FRIENDLY AMENDMENT: Councilmember Meyering offered a friendly amendment to start the minimum wage at \$12 per hour. Vice Mayor Davis declined to accept the friendly amendment.



AMENDMENT: Councilmember Meyering moved to amend the motion to start the minimum wage at \$12 per hour.

Motion died for lack of a second.

Mayor Griffith clarified for City Attorney Borger that the intent of the motion is that the CPI will be automatic every year in the ordinance period but in addition to the ordinance, as a matter of City policy, staff would come back to Council with an agenda item every two years to look at what the automatic adjustment had done and what it might mean.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Whittum

**5**      [14-0490](#)      Adopt a Council Policy on Labor Negotiations Guidelines

Human Resources Director Teri Silva presented the staff report and reported comments from the President of the Sunnyvale Managers Association.

Public Hearing opened at 11:20 p.m.

No speakers.

Public Hearing closed at 11:20 p.m.

MOTION: Vice Mayor Davis moved and Councilmember Martin-Milius seconded the motion to approve Alternative 1: Adopt Council Policy 7.3.29 as presented in Attachment 2. 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

**6**      [14-0402](#)      Approve Implementation of Time-Limit Parking Regulations

near Levi's Stadium

Director of Public Works Kent Steffens presented the staff report.

Public Hearing opened at 11:32 p.m.

No speakers.

Public Hearing closed at 11:32 p.m.

MOTION: Vice Mayor Davis moved and Councilmember Hendricks seconded the motion to approve Alternative 1: Approve the implementation of time limit parking regulations near Levi's Stadium as shown in Attachment 1. 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**

**7**      [14-0500](#)      Park Land for Sale by Texas Instruments Incorporated

Councilmember Meyering disclosed he owns shares in the common stock of the company who owns the land to be discussed, recused himself and left the room.

Director of Public Works Kent Steffens presented the staff report.

Public Hearing opened at 11:40 p.m.

Russ Melton requested consideration of option 2: keep in touch with Texas Instruments and report back to City Council every three months while simultaneously exploring financial alternatives should parcel one become available for sale as a separate property.

Public Hearing closed at 11:43 p.m.

MOTION: Councilmember Whittum moved and Vice Mayor Davis seconded the motion to keep options open and stay in touch with Texas Instruments regarding the parcel. The motion carried by the following vote:

**Yes:** 4 - Vice Mayor Davis  
Councilmember Whittum  
Councilmember Martin-Milius  
Councilmember Larsson

**No:** 2 - Mayor Griffith  
Councilmember Hendricks

**Recused:** 1 - Councilmember Meyering

Following action on this item, Councilmember Meyering returned to the room and took his seat at the dais.

**COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

Councilmember Larsson reported his attendance at a BASCWA meeting.

Vice Mayor Davis reported his attendance at the joint meeting of the Parks and Recreation Commission and Arts Commission in which he presented certificates of recognition of service.

Councilmember Whittum reported his attendance at a meeting of the VTA Congestion Management and Planning Committee and the Board of Library Trustees meeting in which he presented certificates of recognition of service.

Councilmember Martin-Milius reported her attendance at a meeting of the Stevens Creek Trail Committee.

**NON-AGENDA ITEMS & COMMENTS**

**-Council**

Councilmember Whittum requested staff take a look at surface parking permits for downtown business employees in the vicinity of Macys or somewhere nearby. Interim City Manager Robert Walker stated he will report back to Council.

Councilmember Hendricks inquired about the safety issues in the parking area and requested information from staff.

Councilmember Whittum stated he attended the Taiwanese American Cultural Festival in Union Square.

Councilmember Whittum reported receipt of a letter from Department of Alcoholic Beverage Control concerning a business in Sunnyvale.

Councilmember Whittum reported on the tobacco report card rating received by the City.

Councilmember Whittum reported Lucille Packard is locating at 1195 West Fremont near Stevens Creek.

Councilmember Whittum reported an upcoming meeting of the Council Subcommittee on Board and Commission Bylaws.

Vice Mayor Davis reported his attendance at a meeting of the Cold Winter Shelter Task Force, the Palestinian flag raising ceremony at the County offices, Santa Clara Unified School District Board with Councilmember Whittum, the Peace Officers Memorial Ceremony at the Sherriff's Office, Hands on the Arts event and the quarterly neighborhood association meeting regarding the Grand Boulevard Initiative.

Councilmember Meyering inquired about when study sessions would be televised and recommended a policy to require televising study sessions involving high community interest.

Interim City Manager Walker reported an upcoming agenda item regarding determination of the location of study sessions.

Mayor Griffith reported Iron Construction was named Small Business of the Year by the US Small Business Administration.

Mayor Griffith commended the Department of Public Safety staff for their involvement in the Peace Officers Memorial.

Mayor Griffith commended staff for the Hands on the Arts event.

**-City Manager**

None.

**INFORMATION ONLY REPORTS/ITEMS**

- [14-0328](#) Tentative Council Meeting Agenda Calendar
- [14-0403](#) Information/Action Items
- [14-0386](#) Board/Commission Meeting Minutes

[14-0324](#) Study Session Summary of May 12, 2014 - Board and Commission Interviews

[14-0536](#) Study Session Summary of May 13, 2014 - Board and Commission Interviews

**ADJOURNMENT**

Mayor Griffith adjourned the meeting at 12:20 a.m.