



# City of Sunnyvale

## Meeting Minutes City Council

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Tuesday, September 16, 2014

5:45 PM

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

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**Special Meeting-Board and Commission Interviews-5:45 PM | Regular Meeting-7 PM**

### **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

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

[14-0766](#) SPECIAL ORDER OF THE DAY - National Falls Prevention  
Awareness Day

Mayor Griffith presented a proclamation to Silicon Valley Healthy Aging Partnership and the Department of Library and Community Services declaring September 23, 2014 as "Falls Prevention Awareness Day" in the City of Sunnyvale.

#### **PUBLIC ANNOUNCEMENTS**

Kevin Jackson, Bicycle and Pedestrian Advisory Commission member speaking for himself, announced a new law, California Vehicle Code Section 21760, also known as the "Three Feet for Safety Act," which requires motorists to give at least three feet of clearance when passing cyclists.

**CONSENT CALENDAR**

Councilmember Meyering requested to pull Items 1.A and 1.B and from the Consent Calendar.

Councilmember Whittum requested to pull Items 1.E and 1.H.

Councilmember Martin-Milius requested to pull Item 1.G.

MOTION: Vice Mayor Davis moved and Councilmember Larsson seconded the motion to approve the Consent Calendar, with the exception of Item 1.A, 1.B, 1.E, 1.G and 1.H. 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.A**     [14-0783](#)     Approve City Council Meeting Minutes of August 26, 2014

Public hearing opened at 8:18 p.m.

No speakers.

Public hearing closed at 8:18 p.m.

MOTION: Vice Mayor Davis moved and Councilmember Hendricks seconded the motion to approve the City Council Meeting Minutes of August 26, 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**     [14-0857](#)     Approve the List(s) of Claims and Bills Approved for Payment

by the City Manager

Public hearing opened at 8:19 p.m.

No speakers.

Public hearing closed at 8:19 p.m.

MOTION: Vice Mayor Davis moved and Councilmember Hendricks 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**      [14-0748](#)      Renewal of Contract with Bill Wilson Center to Provide Youth Workforce Development Services

Approve the renewal of the contract with Bill Wilson Center in an amount not to exceed \$500,000 to provide youth workforce development services from October 1, 2014 through September 30, 2015.

**1.D**      [14-0750](#)      Approve Budget Modification No. 11 to Appropriate \$32,250 for the Schools Goin' Green Project which is receiving Santa Clara Valley Water District 2014 Safe, Clean Water Priority B Grant Funds.

Approve Budget Modification No. 11 to appropriate a total of \$32,250 for staffing resources, supplies, and equipment to a new project, Schools Goin' Green Project, which will be receiving 2014 Safe Clean Water Priority B Grant funds.

**1.E**      [14-0803](#)      Award a Contract to Prepare a Two-Phase Feasibility Study of Structural Stormwater Best Management Practices for the SMaRT Station® and the Concrete Recycling Facility (F14-103) and Approval of Budget Modification No. 14

Public hearing opened at 8:21 p.m.

No speakers.

Public hearing closed at 8:21 p.m.

MOTION: Councilmember Whittum moved and Vice Mayor Davis seconded the motion to 1) Award a contract, in substantially the same form as the attached draft and in an amount not to exceed \$166,887 to Geosyntec Consultants for the subject project and authorize the City Manager to execute the contract when all the necessary conditions are met; 2) Approve a 10% contract contingency in the amount of \$16,689; and 3) Approve Budget Modification No. 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

- 1.F**      [14-0825](#)      Approve Budget Modification No. 13 to Appropriate \$99,816 of Department of Homeland Security Grant Funds for Participation in 2014 Urban Shield and California Emergency Managers Association Training Conference

Approve Budget Modification No. 13 to appropriate Department of Homeland Security Grant Funds for Participation in 2014 Urban Shield and California Emergency Managers Association Training Conference to two new projects: New Project #1 - 2014 Urban Shield and New Project #2 - 2014 CESA Training Conference.

- 1.G**      [14-0810](#)      Adopt the Revised Council Policy 1.1.9 Sustainable Development and Green Building

MOTION: Councilmember Martin-Milius moved and Councilmember Whittum seconded the motion to adopt the revised Council Policy 1.1.9 Sustainable Development and Green Buildings (Attachment 1) with the addition of bird-safe design guidelines.

No action was taken at this time.

Public hearing opened at 8:27 p.m.

No speakers.

Public hearing closed at 8:27 p.m.

MOTION: Councilmember Whittum moved and Councilmember Martin-Milius seconded to adopt the revised Council Policy 1.1.9 Sustainable Development and Green Buildings (Attachment 1) with the addition of the phrase “When considering the green building program, consider also bird safe design.” 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.H**      [14-0848](#)      Adoption of Ordinance No. 3043-14 Amending Various Sections of Sunnyvale Municipal Code Title 19 (Zoning)

Councilmember Whittum requested staff correct the policy document to reflect Council’s action at the last meeting that the mailed notice should include some indication of issues that may be studied or discussed.

City Attorney Joan Borger confirmed the policy would be corrected.

Public hearing opened at 8:31 p.m.

No speakers.

Public hearing closed at 8:31 p.m.

MOTION: Councilmember Whittum moved and Councilmember Larsson seconded the motion to Adopt Ordinance No. 3043 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**

Tom Dougherty spoke regarding a traffic safety problem at the mobile home park on Henderson Avenue following the removal of “no parking” signs near the exit of the park.

Holly Lofgren spoke regarding the participation of City employees and contractors at local public policy forums and suggested the opinions and positions given by the employees may not be the positions set by the City Council.

Michael Goldman spoke regarding City planning and greenhouse gases.

Peter Cirigliano spoke regarding the actions of a Councilmember.

**PUBLIC HEARINGS/GENERAL BUSINESS**

2      [14-0425](#)      Board and Commission Appointments

Arts Commission (1 term to 6/30/2017)

Lawson, Robert

VOTE: 6 – 1 (Councilmember Meyering dissented)

Springer, Wendy

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

Valenzuela, Kenneth

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

Deputy City Clerk Lisa Natusch announced Robert Lawson was appointed to the Arts Commission to a term expiring 6/30/2017.

Bicycle and Pedestrian Advisory Commission (Category One: 1 term to 6/30/2017)

Mattis, John

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

Okuzumi, Margaret

VOTE: 4 – 0 – 3 (Councilmember Meyering, Councilmember Whittum and Vice Mayor Davis abstained)

Veitch, Tonya

VOTE: 3 – 0 – 4 (Councilmember Meyering, Mayor Griffith, Councilmembers Larsson and Hendricks abstained)

Deputy City Clerk Lisa Natusch announced Margaret Okuzumi was appointed to the Bicycle and Pedestrian Advisory Commission, Category One, to a term expiring 6/30/2017.

Heritage Preservation Commission (1 term to 6/30/2018)

Dietrich, Hannalore

VOTE: 7 – 0

Valenzuela, Kenneth

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

Deputy City Clerk Lisa Natusch announced Hannalore Dietrich was appointed to the Heritage Preservation Commission to a term expiring 6/30/2018.

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

Kwok, Minjung

VOTE: 4 – 0 – 3 (Councilmember Meyering, Vice Mayor Davis and Mayor Griffith abstained)

Schneck, Andrea

VOTE: 5 – 0 – 2 (Councilmembers Martin-Milius and Hendricks abstained)

Springer, Wendy

VOTE: 0 – 0 – 7 (Councilmember Meyering, Councilmember Whittum, Vice Mayor Davis, Mayor Griffith, Councilmembers Martin-Milius, Larsson and Hendricks abstained)

Deputy City Clerk Lisa Natusch announced Andrea Schneck was appointed to the Parks and Recreation Commission to a term expiring 6/30/2018.

Sustainability Commission (Category Two: 1 term to 6/30/2017)

Glazebrook, Brian

VOTE: 5 – 0 – 2 (Councilmember Meyering and Vice Mayor Davis abstained)

Joesten, Stephen

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

Pressman, Barbara

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

Deputy City Clerk Lisa Natusch announced Brian Glazebrook was appointed to the Sustainability Commission to a term expiring 6/30/2017.

**3**      [14-0396](#)      Approval of the Urban Forest Management Plan

Superintendent of Parks and Golf Scott Morton presented the staff report.

Public hearing opened at 7:50 p.m.

Jeanine Stanek, on behalf of her experience with the Historical Society, provided information regarding the history of volunteers planting trees in Sunnyvale.

Public hearing closed at 7:52 p.m.

MOTION: Councilmember Whittum moved and Councilmember Larsson seconded the motion to approve Alternative 1: Approve adoption of the Urban Forest Management Plan (UFMP). 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

**4**      [14-0399](#)      Approval of a Joint Field Use Agreement for Open Space at Multiple Sites within the Cupertino Union School District

Director of Public Works Kent Steffens presented the staff report and provided a revised agreement.

Public hearing opened at 8:05 p.m.



Henry Alexander III, Chair of the Parks and Recreation Commission, stated the Commission's support of the agreement.

Public hearing closed at 8:06 p.m.

MOTION: Councilmember Whittum moved and Vice Mayor Davis seconded the motion to approve Alternative 1: Approve the Joint Field Use Agreement for Open Space at Multiple Sites within the Cupertino Union School District as presented Attachment 1 with the understanding that staff will make an administrative correction to the diagrams where necessary to include the trails that the City maintains and as presented in the amended agreement provided. 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**

- 5**      [14-0722](#)      Introduce an Ordinance Amending Chapter 16.52 (Fire Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code

Fire Marshal Lynne Kilpatrick presented the staff report.

Public hearing opened at 8:15 p.m.

No speakers.

Public hearing closed at 8:15 p.m.

MOTION: Vice Mayor Davis moved and Councilmember Hendricks seconded the motion to approve Alternative 1: Introduce the Ordinance, presented at Attachment 1, Amending Chapter 16.52 (Fire Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code.

Deputy City Clerk Lisa Natusch read the ordinance title.

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**

Vice Mayor Davis reported his attendance at the County Emergency Operations Council meeting, the League of California Cities Conference, the State of the City event and the Valley Transportation Authority Policy Advisory Committee meeting.

Councilmember Martin-Milius reported her attendance at the Environmental Quality Policy meeting and the League of California Cities conference.

Councilmember Whittum reported on the recent VTA public outreach meeting regarding improvements to North/South transit, an upcoming VTA CMP meeting, that the El Camino BRT project draft Environmental Impact Report will be coming out soon and suggested a presentation be placed on the Council agenda sometime during the DEIR comment period.

Mayor Griffith reported his attendance at the NASA Quarterly meeting.

### **NON-AGENDA ITEMS & COMMENTS**

#### **-Council**

Vice Mayor Davis reported his attendance at the Army Reserve Strong March at Moffett Field, the Valley Transportation Authority Outreach Meeting regarding North/South bus routes, the Employee Years of Service breakfast, the Lakewood Village Neighborhood Association meeting, the Silicon Valley Leadership Group's Education Summit, a racial diversity class, the State of the City event, the Gavello Glenn Neighborhood Association Picnic, the grand opening of Smashburger, and a meeting with representatives of the Santa Clara School District Board.

Councilmember Hendricks suggested VTA explain the criteria for the decision-making process regarding BRT.

Councilmember Larsson spoke regarding the water saving items distributed by the

Environmental Services Department at the State of the City event.

Councilmember Whittum spoke regarding an interest of residents in senior-compatible or disabled-compatible play equipment and inquired as to whether the City has or intends to have this type of play equipment and what kind of increment to cost is there and whether it is CDBG eligible.

Councilmember Whittum reported a concern in the western SNAIL neighborhood regarding issues with over the air TV signal reception due to the tall building there, and requested information from staff.

Councilmember Whittum inquired as to the process going forward for Butcher's Corner, including what the site is capable of handling in terms of traffic.

Councilmember Whittum confirmed that the information posted on [downtown.inSunnyvale.com](http://downtown.inSunnyvale.com) will be updated.

Councilmember Meyering requested to sponsor a study issue to analyze the cost and benefits of having Sunnyvale's garbage hauler pick up already sorted recyclable items from Sunnyvale businesses.  
No co-sponsor.

Councilmember Meyering suggested staff send a second letter to the California Public Utilities Commission asking for all PG&E internal emails in which there was any discussion about the condition of gas pipelines underneath Sunnyvale.

City Attorney Borger stated she will send the request.

Mayor Griffith thanked staff and his colleagues for the Strategic Planning sessions and thanked staff for the State of the City event.

**-City Manager**

None.

#### **INFORMATION ONLY REPORTS/ITEMS**

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|-------------------------|--|
| <a href="#">14-0785</a> | Tentative Council Meeting Agenda Calendar                                      |
| <a href="#">14-0645</a> | Information/Action Items   |
| <a href="#">14-0780</a> | Update on In-Lieu Fee Option for Art in Private Development (Information Only) |

[14-0875](#) Study Session Summary of August 21, 2014 - City Council  
Strategic Planning Meeting

[14-0541](#) Board/Commission Meeting Minutes

**ADJOURNMENT**

Mayor Griffith adjourned the meeting at 8:54 p.m.