



City of Sunnyvale

Meeting Minutes City Council

Tuesday, December 16, 2014

5:45 PM

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

Special Meetings- Closed Session-5:45 PM | Study Session-6:45 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

CLOSED SESSION REPORT

Vice Mayor Davis reported Council met in Closed Session regarding Section 54957: Public Employee Performance Evaluation - City Attorney and 54957.6: Conference with Labor Negotiators, Agency designated representatives: City Council Compensation Subcommittee, Unrepresented Employee: City Attorney; no direction was given, no action was taken.

PUBLIC ANNOUNCEMENTS

Jeanine Stanek announced upcoming events at the Sunnyvale Historical Museum.

CONSENT CALENDAR

Councilmember Meyering requested to pull Items 1.E and 1.H and requested a no vote be recorded on Items 1.A, 1.B and 1.J and an abstention be recorded on Item

1.C.

MOTION: Vice Mayor Davis moved and Councilmember Hendricks seconded the motion to Approve the Consent Calendar with the exception of Items 1.E 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 [14-0986](#) Approve City Council Meeting Minutes of December 9, 2014

MOTION: Vice Mayor Davis moved and Councilmember Hendricks seconded the motion to approve the City Council Meeting Minutes of December 9, 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 [14-1138](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

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** [14-0331](#) Approve Budget Modification No. 33 to Appropriate \$25,000 Donation from Kilroy Realty Corporation for Tree Planting and Maintenance in a Target Area within the SNAIL Neighborhood

MOTION: Vice Mayor Davis moved and Councilmember Hendricks seconded the motion to approve Budget Modification No. 33 to appropriate a \$25,000 donation from Kilroy Realty Corporation for tree planting and maintenance in a target area within the SNAIL Neighborhood. 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

- 1.D** [14-1085](#) Approve Budget Modification No. 30 to Appropriate \$18,000 of Sourcewise Grant Funds for Care Management Services

Approve Budget Modification No. 30 to appropriate Sourcewise grant funds in the amount of \$18,000 to Project 829640 - Care Management Enhancement.

- 1.E** [14-1102](#) Approve Budget Modification No. 31 to Increase the Budgeted Amount to Purchase Water Meters for New Developments

Public hearing opened at 7:09 p.m.

No speakers.

Public hearing closed at 7:09 p.m.

MOTION: Councilmember Meyering moved and Vice Mayor Davis seconded the motion to approve Budget Modification No. 31 to Increase the Current Year Budgeted Amount for the Water Meters for New Development Project by \$191,590. 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 [14-1104](#) Award of Contract for Management of the Sunnyvale
Government Access and Public Access Channels (F15-05)

1) Award a three year contract to Mountain View Community Television, in substantially the same form as the attached Consultant Services Agreement, not to exceed \$195,000, for management of the Sunnyvale government access and public access channels, and 2) Authorize the City Manager to renew the contract for up to two additional years, provided that funding is available and service remains acceptable.

1.G [14-1105](#) Award of Contract for Nine Police Interceptor Vehicles
(F15-25)

Award a contract in the amount of \$227,827 to Serramonte Ford for nine police Interceptor vehicles in substantially the same form as the attached draft purchase order.

1.H [14-1018](#) Award Bid No. PW15-09 for Orchard Gardens Park Expansion and Demolition of Structure at 775 Dona Avenue, Adopt a Resolution to Execute a PG&E Easement, and Approve Budget Modification No. 24; and Related CEQA Actions: Adoption of Mitigated Negative Declaration and Finding of Categorical Exemption

Public hearing opened at 8:07 p.m.

No speakers.

Public hearing closed at 8:07 p.m.

MOTION: Vice Mayor Davis moved and Councilmember Hendricks seconded the motion to adopt a CEQA Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Orchard Gardens Park Expansion Project, 2) Make a finding of CEQA categorical exemption pursuant to Section 15301(I)(4) for

demolition of the structure located at 775 Dona Avenue; 2) Adopt a resolution authorizing the City manager or her designee to execute an Easement Deed with PG&E; 3) Award a contract, in substantially the same format as Attachment 4 and in the amount of \$798,400 for the subject project and authorize the City Manager to execute the contract when all the necessary conditions have been met, 4) Approve a 10% construction contingency in the amount of \$79,840; and 5) Approve Budget Modification No. 24 to provide additional funding for the project. 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.I** [14-1077](#) Adopt a Resolution to Summarily Vacate a Public Utility Easement at 435 Toyama Drive

Adopt the resolution to summarily vacate a public utility easement at 435 Toyama Drive; and to authorize the City Clerk to submit a certified copy of the resolution to the Santa Clara County Recorder's office.

- 1.J** [14-0145](#) Adopt Ordinance No. 3051-14 to Amend Chapter 2.08 of Title 2 (Administration and Personnel) of the Sunnyvale Municipal Code to Amend the City Manager's Rejection Authority for Goods and Services Procurements

MOTION: Vice Mayor Davis moved and Councilmember Hendricks seconded the motion to adopt Ordinance No. 3051-15. 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** [14-0199](#) Adopt Ordinance No. 3052-14 to add a New Section to Chapter 2.09 of Title 2 (Administration and Personnel) of the Sunnyvale Municipal Code to Require the Payment of

Prevailing Wages on Public Works Projects

Adopt Ordinance No. 3052-14.

PUBLIC COMMENTS

None.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2 [14-0286](#) Approve Design Guidelines for Multi-Family Residential Projects to Address Size, Bulk and Scale; Find that the Project is Exempt Under CEQA Pursuant to Guideline 15061(b)(3). (Study Issue original title: City Policies Governing Housing Density)

Principal Planner Andrew Miner presented the staff report. Director of Community Development Hanson Hom provided additional information.

Councilmember Whittum disclosed he lives within 500 feet of the DSP boundary but has no conflict of interest.

Public Hearing opened at 7:36 p.m.

Jonathan Fearn, Senior Director of Development, SummerHill Apartment Communities, spoke in support of the guidelines.

Public Hearing closed at 7:40 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Martin-Milius seconded the motion to approve Alternatives 1, 2 and 4: 1) Find that the project is exempt from CEQA pursuant to CEQA Guideline 15061(b)(3), 2) Approve design guidelines (Attachment 2) for high density multi family residential and mixed use projects in the R-4, R-5, C-1, C-2 and DSP zoning districts; and 4) Direct staff to return within three years with data collected from upcoming planning applications to further evaluate appropriate zoning tools to address the issue.

AMENDMENT: Councilmember Meyering moved to amend the motion to include a guideline in residential areas of a maximum of 20 bedrooms per acre.
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: 1 - Councilmember Meyering

- 3** [14-0594](#) Approve a Funding Agreement with the Santa Clara Valley Water District for CEQA Review and Design Costs to Retain a Membrane Bioreactor Option at the Water Pollution Control Plant, Approve an Amendment to an Existing Contract with Carollo Engineers for the Additional Services, and Approve Budget Modification No. 32

Director of Environmental Services John Stufflebean presented the staff report.

Public Hearing opened at 7:54 p.m.

No speakers.

Public Hearing closed at 7:54 p.m.

MOTION: Councilmember Whittum moved and Vice Mayor Davis seconded the motion to approve Alternatives 1, 2, 3 and 4: 1) Authorize the City Manager to execute the MBR Agreement with the Santa Clara Valley Water District, in substantially the same format as Attachment 3 to the report, regarding funding of CEQA review and design costs to retain MBR option at the WPCP; 2) Approve Budget Modification No. 32 to appropriate additional funding of \$618,735 to Capital Project No. 830250 (WPCP Master Plan) as required for the project; 3) Authorize the City Manager to execute an amendment with Carollo Engineers, insubstantially the same format as Attachment 4, in an amount not to exceed \$583,234; and 4) Approve a 15% contract contingency in the amount of \$76,074. 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** [14-0790](#) Adopt Resolution to Amend the General Plan by Adopting the
2015-2023 Housing Element
CEQA Review: Negative Declaration

Housing Officer Suzanne Isé presented the staff report.

Public Hearing opened at 8:02 p.m.

No speakers.

Public Hearing closed at 8:02 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Martin-Milius seconded the motion to approve Alternative 1: a) Adopt the Negative Declaration and b) Adopt a resolution to amend the General Plan by replacing the 2009 Housing Sub Element with the 2015 2023 Housing Element as provided in Attachment 2 to the report. 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

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

Councilmember Whittum reported his attendance VTA Board meeting in which an information item was presented regarding El Camino BRT.

Mayor Griffith reported his appointment to the position of First Vice President of the Cities Association.

NON-AGENDA ITEMS & COMMENTS

-Council

Vice Mayor Davis reported he attended the Tree Lighting Ceremony at Moffett Field.

Councilmember Whittum reported a study issue regarding Tasman sidewalks that

he proposed at the last meeting is already in progress.

Councilmember Whittum proposed a study issue regarding weekday school use at Baylands developed areas or on other public property if available.

Vice Mayor Davis and Councilmember Meyering co-sponsored the study issue.

Councilmember Martin-Milius proposed a study issue regarding relocation of the Butcher house, support from the City to widen the fire lane, remove and replace trees and specific issues with the land infrastructure.

Mayor Griffith co-sponsored the issue.

Mayor Griffith reported his attendance at the 100th Anniversary celebration of the Library and complimented staff on response to the storm last week.

-City Manager

City Manager Santana reported the local hiring program work plan is included in the agenda packet as an Information Only item.

INFORMATION ONLY REPORTS/ITEMS

- | | |
|--------------------------------|--|
| <u>14-0141</u> | Tentative Council Meeting Agenda Calendar |
| <u>14-1048</u> | Information/Action Items |
| <u>14-1123</u> | Timeline for Drafting Local Hiring Program/Ordinance
(Information Only) |
| <u>14-0079</u> | Study Session Summary of December 9, 2014 - How the City
Council Works Together |
| <u>14-0514</u> | Board/Commission Meeting Minutes |

ADJOURNMENT

Councilmember Meyering closed the meeting in honor of the memory of Jean Lee.

Mayor Griffith adjourned the meeting at 8:22 p.m.