



City of Sunnyvale

Meeting Minutes City Council

Tuesday, March 17, 2015

4:30 PM

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

**Special Meetings- Closed Session 4:30 PM | Study Session 6 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 Tara Martin-Milius
Councilmember David Whittum
Councilmember Pat Meyering
Councilmember Jim Davis
Councilmember Glenn Hendricks
Councilmember Gustav Larsson

CLOSED SESSION REPORTS

Vice Mayor Martin-Milius reported Council met in Closed Session March 6, 2015 held pursuant to California Government Code Section 54956.9 regarding conference with legal counsel-existing litigation; there was nothing to report, and on March 17 pursuant to California Government Code Section 54957.6: conference with labor negotiators; there was nothing to report.

PUBLIC ANNOUNCEMENTS

Councilmember Davis announced upcoming board and commission vacancies and an application deadline.

David Wessel, Democratic Club of Sunnyvale, announced an upcoming meeting of the club.

CONSENT CALENDAR

Councilmember Meyering requested to pull Items 1.A, 1.B, 1.C and 1.D.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Larsson seconded the motion to approve Consent Calendar Items 1.E, 1.F and 1.G. The motion carried by the following vote:

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

No: 0

1.A [15-0037](#) Approve City Council Special Meeting Minutes of February 19, 2015

Public Hearing opened at 12:07 a.m.

No speakers.

Public Hearing closed at 12:07 a.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Davis seconded the motion to approve the City Council Special Meeting Minutes of February 19, 2015 as submitted. The motion carried by the following vote:

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

No: 1 - Councilmember Meyering

1.B [15-0211](#) Approve City Council Meeting Minutes of February 24, 2015

Public Hearing opened at 12:07 a.m.

No speakers.

Public Hearing closed at 12:07 a.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Davis seconded the motion to approve the City Council Meeting Minutes of February 24, 2015 as

submitted. The motion carried by the following vote:

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

No: 1 - Councilmember Meyering

1.C [15-0266](#) Approve the List(s) of Claims and Bills Approved for Payment
by the City Manager

Public Hearing opened at 12:11 a.m.

No speakers.

Public Hearing closed at 12:11 a.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Whittum 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 Martin-Milius
Councilmember Whittum
Councilmember Davis
Councilmember Hendricks
Councilmember Larsson

No: 1 - Councilmember Meyering

1.D [15-0141](#) Authorize the City Manager to Execute Two Funding
Agreements between the City of Sunnyvale and Santa Clara
Valley Transportation Authority for State Route 237 Express
Lanes Project Phase II

Public Hearing opened at 12:12 a.m.

No speakers.

Public Hearing closed at 12:12 a.m.

MOTION: Councilmember Meyering moved and Councilmember Whittum seconded the motion to authorize the City Manager to execute two funding agreements between the City of Sunnyvale and Santa Clara Valley Transportation Authority for State Route 237 Express Lanes Project Phase II. The motion carried by the following vote:

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

No: 0

1.E [15-0204](#) Approve Budget Modification No. 40 to Appropriate \$64,424 for the Citywide Aerial Photo Project

Approve a budget modification of \$64,424 for the City's Aerial Photo Project.

1.F [15-0178](#) Award of Contract for Youth Sports Classes and Camps (F15-74)

1) Award a contract to Skyhawks Sports Academy, in substantially the same form as the attached Draft Service Agreement, for a two-year period; and 2) Authorize the City Manager to renew the contract for one additional one-year period, provided services and pricing remain acceptable to the City.

1.G [15-0173](#) Adopt a Resolution Authorizing the Director of Public Works to Apply and Implement a Labor Compliance Program Approved by the Department of Industrial Relations as Required for Public Works Contracts Funded Through Proposition 84 Chapter 2 Integrated Regional Water Management (IRWM) Grant Program

Adopt a Resolution authorizing the Director of Public Works to apply and implement a Labor Compliance Program for the City Approved by the Department of Industrial Relations as required for Public Works contracts funded through Proposition 84 Chapter 2 Integrated Regional Water Management (IRWM) Grant Program.

PUBLIC COMMENTS

Eamonn Gormley, Transform, spoke regarding road diets and dedicated lanes and provided a presentation.

Michael Goldman spoke regarding the Sunnyvale Public Lands Act initiative.

PUBLIC HEARINGS/GENERAL BUSINESS

2 [15-0231](#) Appeal of City Manager's Decision Determining Penalty and

Interest Due from Sundowner/Days Inn Hotel on its Transient
Occupancy Tax (TOT) Payment for the Month of August 2014

Director of Finance Grace Leung presented the staff report.

Public Hearing opened at 7:21 p.m.

C.K. Shah, appellant, addressed the Council regarding the appeal and requested the Council reverse the penalty.

Public Hearing closed at 7:36 p.m.

MOTION: Councilmember Davis moved and Councilmember Hendricks seconded the motion to approve Alternative 1: Find that the operator has not demonstrated good cause for the late payment, uphold the decision of the City Manager, and order that the entire amount of the penalty and interest assessment, \$2,845.86, be due immediately upon service of the City Council's determination.

AMENDMENT: Councilmember Meyering moved to amend the motion to decrease the penalty by \$400 to \$2,380.97.

Motion died due to lack of a second.

The main motion carried by the following vote:

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

No: 1 - Councilmember Meyering

- 3** [15-0012](#) Adoption of Council-ranked Study Issue Presentation Dates for 2015, Council Policy Priorities Update, and Clarification on Issues Proposed for Completion

City Manager Deanna Santana presented the staff report.

Public Hearing opened at 7:43 p.m.

Jim Reynolds, President, Sunnyvale Historical Society, spoke regarding DPW 15-10 relating to the Butcher House.

Public Hearing closed at 7:55 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Larsson seconded the motion to approve Alternatives 1, 2, 4, 5, 6, 7, 8, and 10:

1. Approve the Proposed Presentation Dates for 2015 Council-ranked Study Issues;
2. Recommend a budget supplement for the Recommended FY 2015/16 Budget to allocate \$50,000 to obtain an economic consultant to evaluate the market potential and appropriate land use mix for the Town Center, with particular emphasis on assessing the amount and type of retail uses that are feasible for the project;
4. Approve the combination of DPS 15-01 Prohibit Smoking Inside All Units and in Common Areas of Multi-Family Residences and OCA 14-03b Expand Smoking Regulations to Prohibit Smoking near Doorways and Outdoor Areas of Retail and Commercial Businesses;
5. Confirm the original scope of DPW 15-10 Relocation of the Butcher House to Heritage Garden Park and Review of the Need for a Retaining Wall, which assures no cost to the City for implementation;
6. Drop ESD 12-01C Community and Operational Greenhouse Gas Inventory in lieu of the study to be completed as part of the Climate Action Plan Workplan;
7. Drop ESD 13-05C Eco-district Feasibility and Incentives from consideration;
8. Defer DPW 13-10C Pilot Bicycle Boulevard Project on East-West and North-South Routes for reconsideration and potential ranking at the January 2016 Study/Budget Issues Workshop; and
10. Drop ESD 15-03 Financing for Energy-Efficiency, Renewable-Energy and Water-Efficiency Improvements on Commercial Properties.

FRIENDLY AMENDMENT: Vice Mayor Martin-Milius offered a friendly amendment to modify Alternative 7, to defer ESD 13-05C rather than drop it. Councilmember Hendricks accepted the friendly amendment.

The motion carried by the following vote:

- Yes:** 5 - Mayor Griffith
Vice Mayor Martin-Milius
Councilmember Whittum
Councilmember Hendricks
Councilmember Larsson
- No:** 2 - Councilmember Meyering
Councilmember Davis

MOTION: Councilmember Hendricks moved and Councilmember Martin-Milius seconded the motion to approve Alternatives 9.b., 9.c. and 9.d: Approve the staff

recommended actions as identified in the Fiscal Impact section of this report. Specifically, refer the following studies to the Recommended FY 2015/16 Budget as budget supplements:

- b. DPW 15-03 Determine Steps to Move Forward to Becoming a Silver Level in the League of American Bicyclists - Bicycle Friendly Communities, \$15,000 to \$25,000
- c. DPW 15-09 Feasibility of Establishing a Park Mitigation Fee for Non-residential Development, \$50,000
- d. DPW 15-10 Relocation of the Butcher House to Heritage Garden Park and Review of the Need for a Retaining Wall, \$50,000

FRIENDLY AMENDMENT: Councilmember Whittum offered a friendly amendment regarding 9.c. DPW 15-09, to fund it as a budget modification sooner, and not wait. Councilmember Hendricks accepted the friendly amendment. Following discussion, Councilmember Hendricks declined to accept the friendly amendment.

AMENDMENT: Councilmember Whittum moved to amend and Councilmember Meyering seconded the motion to move up 9.c., DPW 15-09, staff to bring it back at the next meeting, with \$50,000 to come out of the budget stabilization fund. The motion to amend failed by the following vote:

- Yes: 2 -** Councilmember Whittum
Councilmember Meyering
- No: 5 -** Mayor Griffith
Vice Mayor Martin-Milius
Councilmember Davis
Councilmember Hendricks
Councilmember Larsson

The main motion carried by the following vote:

- Yes: 5 -** Mayor Griffith
Vice Mayor Martin-Milius
Councilmember Davis
Councilmember Hendricks
Councilmember Larsson
- No: 2 -** Councilmember Whittum
Councilmember Meyering

MOTION: Councilmember Hendricks moved and Councilmember Davis seconded the motion to drop 3 and 9.a.: 3. Amend the intended scope of CDD 15-02 Consider Multi family Residential Transportation Demand Management Programs to include the cost for a transportation consultant to provide technical research and

analysis, which would be presented as a budget supplement in the Recommended FY 2015/16 Budget; and 9. Approve the staff recommended actions as identified in the Fiscal Impact section of this report. Specifically, refer the following study to the Recommended FY 2015/16 Budget as budget supplements:

a. CDD 15-02 Consider Multi-family Residential Transportation Demand Management Programs, \$30,000

The motion failed by the following vote:

Yes: 2 - Councilmember Davis
Councilmember Hendricks

No: 5 - Mayor Griffith
Vice Mayor Martin-Milius
Councilmember Whittum
Councilmember Meyering
Councilmember Larsson

MOTION: Councilmember Whittum moved and Vice Mayor Martin Milius seconded the motion to support 3 and 9.a.: 3. Amend the intended scope of CDD 15-02 Consider Multi-family Residential Transportation Demand Management Programs to include the cost for a transportation consultant to provide technical research and analysis, which would be presented as a budget supplement in the Recommended FY 2015/16 Budget; and 9. Approve the staff recommended actions as identified in the Fiscal Impact section of this report. Specifically, refer the following study to the Recommended FY 2015/16 Budget as budget supplements:

a. CDD 15-02 Consider Multi-family Residential Transportation Demand Management Programs, \$30,000

The motion carried by the following vote:

Yes: 5 - Mayor Griffith
Vice Mayor Martin-Milius
Councilmember Whittum
Councilmember Meyering
Councilmember Larsson

No: 2 - Councilmember Davis
Councilmember Hendricks

MOTION: Councilmember Whittum moved and Councilmember Meyering seconded the motion to support Alternative 9.e.: 9. Approve the staff recommended actions as identified in the Fiscal Impact section of this report. Specifically, refer the following study to the Recommended FY 2015/16 Budget as budget supplements:

e. DPS 15-01 Prohibit Smoking Inside All Units and in Common Areas of Multi-Family Residences, \$100,000

The motion carried by the following vote:

Yes: 5 - Mayor Griffith
Vice Mayor Martin-Milius
Councilmember Whittum
Councilmember Meyering
Councilmember Larsson

No: 2 - Councilmember Davis
Councilmember Hendricks

4 [14-0846](#) Consideration of a Rental Housing Impact Fee for New
Market-Rate Rental Housing Developments

Housing Officer Suzanne Ise presented the staff report.

Public Hearing opened at 9:06 p.m.

Pilar Lorenzana-Campo, Non-Profit Housing Association of Northern California, requested adoption of a \$21 per square foot fee.

Michele Beasely, Greenbelt Alliance, spoke in support of adopting a housing impact fee of \$21 per square foot.

Kevin Zwick, CEO, Housing Trust Silicon Valley, spoke in support of a fee of \$21 per square foot.

Helen Tong-Ishikawa, MidPen Housing, spoke in support of adopting an impact fee of \$17 to \$21.

Shaunn Cartwright support of an impact fee of \$21 per square foot and if there is an in-lieu, it be specifically defined.

James Lee spoke regarding the great need for housing and in support of the \$21 fee.

Mark Sabin spoke in support of the \$21 fee and recommended creating incentives for below market rate housing.

Pat Sausedo, BIA Bay Area, stated that if Council gives direction to adopt a fee, it be at the staff recommended level of \$17 per square foot.

John Cordes, Bicycle and Pedestrian Advisory Commission member speaking for

himself, spoke in support of a \$26 rate to support affordable housing.

Marie Bernard, Sunnyvale Community Services, spoke in support of an impact fee of \$21 per square foot.

Charisse Ma Lebron, Working Partnerships USA, spoke in support of a fee of \$21 per square foot and that affordable housing be located near transit.

Dora spoke in support of a fee of \$21 or higher.

Public Hearing closed at 9:32 p.m.

MOTION: Councilmember Whittum moved and Councilmember Meyering seconded the motion to approve Alternatives 1, 4, 5 and 6: 1) Direct staff to prepare an ordinance authorizing a rental housing impact fee for new market rate rental housing developments; 4) Direct staff to set the initial fee at \$26 per habitable square foot for all new market-rate rental developments, adjusted annually as part of the City Fee Schedule; 5) Direct staff to include in the ordinance an option to allow developers to provide affordable units within a project instead of paying the impact fee, as well as other possible options such as providing off-site affordable units or dedicating land; and 6) Direct staff to return to the City Council within two years to reevaluate and possibly adjust the rental housing impact fee.

FRIENDLY AMENDMENT: Councilmember Larsson offered a friendly amendment to change the fee from \$26 to \$21; convert Alternative 4: Direct staff to set the initial fee at \$26 per habitable square foot for all new market-rate rental developments, adjusted annually as part of the City Fee Schedule, to Alternative 3: Direct staff to set the initial fee at \$21 per habitable square foot for all new market-rate rental developments, adjusted annually as part of the City Fee Schedule. Councilmember Whittum declined to accept the friendly amendment.

AMENDMENT: Councilmember Larsson moved to amend and Councilmember Hendricks seconded the motion to change the fee from \$26 to \$21; convert Alternative 4: Direct staff to set the initial fee at \$26 per habitable square foot for all new market-rate rental developments, adjusted annually as part of the City Fee Schedule, to Alternative 3: Direct staff to set the initial fee at \$21 per habitable square foot for all new market-rate rental developments, adjusted annually as part of the City Fee Schedule.

The motion to amend failed by the following vote:

Yes: 3 - Mayor Griffith
Councilmember Hendricks
Councilmember Larsson

No: 4 - Vice Mayor Martin-Milius
Councilmember Whittum
Councilmember Meyering
Councilmember Davis

The main motion failed by the following vote:

Yes: 2 - Councilmember Whittum
Councilmember Meyering

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

MOTION: Councilmember Hendricks moved and Vice Mayor Martin-Milius seconded the motion to approve Alternatives 1, 2, 5 and 6: 1) Direct staff to prepare an ordinance authorizing a rental housing impact fee for new market rate rental housing developments; 2) Direct staff to set the initial fee at \$17 per habitable square foot for all new market-rate rental developments, adjusted annually as part of the City Fee Schedule; 5) Direct staff to include in the ordinance an option to allow developers to provide affordable units within a project instead of paying the impact fee, as well as other possible options such as providing off-site affordable units or dedicating land; and 6) Direct staff to return to the City Council within two years to reevaluate and possibly adjust the rental housing impact fee.

FRIENDLY AMENDMENT: Councilmember Larsson offered a friendly amendment to include Alternative 7: Provide other direction to staff regarding this study: that the affordability period be 55 years.

Councilmember Hendricks accepted the friendly amendment.

FRIENDLY AMENDMENT: Councilmember Whittum offered a friendly amendment regarding Alternative 5, to add at the end, "with proximity to transit encouraged." Councilmember Hendricks accepted the friendly amendment.

AMENDMENT: Councilmember Whittum moved to amend the motion and Councilmember Meyering seconded to change the fee from \$17 to \$21.

The motion to amend failed by the following vote:

Yes: 3 - Mayor Griffith
Councilmember Whittum
Councilmember Meyering

No: 4 - Vice Mayor Martin-Milius
Councilmember Davis
Councilmember Hendricks
Councilmember Larsson

AMENDMENT: Councilmember Meyering moved to amend the motion and Councilmember Whittum seconded to increase the fee to \$21 per square foot starting January 1, 2016.

The motion to amend failed by the following vote:

Yes: 2 - Councilmember Whittum
Councilmember Meyering

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

FRIENDLY AMENDMENT: Mayor Griffith offered a friendly amendment to direct staff to include in the ordinance, or however it is appropriate, that offsite affordable units must be approved by Council.

Councilmember Hendricks accepted the friendly amendment.

The main motion carried by the following vote:

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

No: 2 - Councilmember Meyering
Councilmember Davis

Council recessed at 10:32 p.m.

Council reconvened at 10:42 p.m. with all Councilmembers present.

- 5** [15-0091](#) Consider Conditional Award of Up to \$5 Million in Housing Mitigation Funds to MidPen Housing for New Affordable Housing Project to Be Developed at 460 Persian Drive

Housing Officer Suzanne Ise presented the staff report.

Public Hearing opened at 10:47 p.m.

Applicant Jan Lindenthal, Vice President of Real Estate Development, MidPen, provided information about the project and a PowerPoint presentation.

Public Hearing closed at 10:52 p.m.

MOTION: Councilmember Larsson moved and Councilmember Hendricks seconded the motion to approve Alternative 1: Award a two year conditional commitment of Housing Mitigation funds in the amount of \$5 million to MidPen Housing for the housing project proposed for development at 460 Persian Drive in Sunnyvale, generally consistent with the terms described in Attachment 4, and direct staff to include the funds committed to this project in the FY 2015-16 Projects Budget. The motion carried by the following vote:

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

No: 0

6 [15-0112](#) Introduce an Ordinance to Award a Taxicab Franchise to A Orange Cab, Inc.

Director of Public Safety Frank Grgurina presented the staff report.

Public Hearing opened at 10:56 p.m.

No speakers.

Public Hearing closed at 10:56 p.m.

MOTION: Councilmember Hendricks moved and Vice Mayor Martin-Milius seconded the motion to approve Alternative 1: Introduce an ordinance awarding a non exclusive franchise for taxicab service to A Orange Cab, Inc. for the period of March 15, 2015 through March 14, 2017, and Authorize the City Manager to execute all implementing documents of agreement.

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

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

No: 0

7 [15-0113](#) Introduce an Ordinance to Award a Taxicab Franchise to
Ekadea Inc. dba Yellow Cab Company Peninsula

Director of Public Safety Frank Grgurina presented the staff report.

Public Hearing opened at 10:58 p.m.

No speakers.

Public Hearing closed at 10:58 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Larsson seconded the motion to approve Alternative 1: Introduce an ordinance renewing a non exclusive franchise for taxicab service Ekadea Inc. dba Yellow Cab Company Peninsula for the period of March 15, 2015 through March 14, 2017, per applicant's request and authorize the City Manager to execute necessary documents of agreement, including additional provisions as set forth above.

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

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

No: 0

- 8** [15-0119](#) Create a Community Advisory Committee and a Council Ad Hoc Advisory Committee for the Update of the Precise Plan for El Camino Real

This item was considered after Item 9.

Councilmember Larsson recused himself due to a possible conflict of interest, as his residence is just over 500 feet from the closest property within the El Camino Precise Plan.

Director of Community Development Hanson Hom presented the staff report.

Public Hearing opened at 11:37 p.m.

No speakers.

Public Hearing closed at 11:37 p.m.

MOTION: Councilmember Davis moved and Councilmember Whittum seconded the motion to approve Alternative 1: Approve the 12 member composition of the ECRPAC, and have the Mayor appoint a City Council Ad Hoc Advisory Committee composed of three Councilmembers to select the members of the ECRPAC, and the further recommendation that Councilmember Whittum serve as chair.

AMENDMENT: Councilmember Meyering moved to amend the motion and Councilmember Whittum seconded to change the make-up of the committee so we don't duplicate people already on a City board or commission and that we expand it so that there be 14 committee members and each of the Councilmembers nominates two different members, one from the residential community and one from the business community.

Mayor Griffith ruled the motion a substitute motion.

FRIENDLY AMENDMENT: Councilmember Whittum offered a friendly amendment that each Councilmember is free to nominate two members and let the appointment committee sort it out.

Councilmember Whittum withdrew the friendly amendment.

The substitute motion failed by the following vote:

Yes: 1 - Councilmember Meyering

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

Recused: 1 - Councilmember Larsson

The main motion carried by the following vote:

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

No: 1 - Councilmember Meyering

Recused: 1 - Councilmember Larsson

Councilmember Hendricks, Vice Mayor Martin-Milius and Councilmember Whittum expressed interest in serving on the committee.

Mayor Griffith appointed Councilmember Hendricks, Councilmember Whittum and Vice Mayor Martin-Milius to serve on the committee.

MOTION: Councilmember Whittum moved and Councilmember Davis seconded the motion to give the subcommittee the option of appointing alternates as they see fit. The motion carried by the following vote:

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

No: 0

Recused: 1 - Councilmember Larsson

- 9 [15-0143](#) Adopt a Resolution for the Certification of the Environmental Impact Report, Adoption of the Mitigation Monitoring and Reporting Program for the Fair Oaks Avenue Overhead Bridge Rehabilitation Project and Approval to Proceed with Project

This item was considered after Item 7.

Director of Public Works Manuel Pineda presented the staff report. Consultant John Cook, Circlepoint, provided additional information.

Public Hearing opened at 11:19 p.m.

No speakers.

Public Hearing closed at 11:19 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Larsson seconded the motion to approve Alternative 1: Adopt a Resolution to certify the Environmental Impact Report, adopt the Mitigation Monitoring and Reporting Program for the Fair Oaks Avenue Overhead Bridge Rehabilitation Project, and approve going forward with the Project incorporating all adopted mitigation measures. The motion carried by the following vote:

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

No: 1 - Councilmember Whittum

10 [15-0244](#) Consider an Increase to City Attorney Compensation
City Attorney Joan Borger left the room.

Director of Human Resources Teri Silva presented the staff report.

Public Hearing opened at 11:48 p.m.

No speakers.

Public Hearing closed at 11:48 p.m.

MOTION: Councilmember Hendricks moved and Vice Mayor Martin-Milius seconded the motion to approve Alternative 1: Authorize the Mayor to execute an Amendment to the Agreement for Services between the City of Sunnyvale and the City Attorney to adjust the salary schedule and PTO to the next higher PTO accrual

level of 10.5 hours biweekly and a 2% salary increase.

Councilmember Hendricks clarified that the effective date would be the next pay period.

FRIENDLY AMENDMENT: Mayor Griffith offered a friendly amendment to make the adjustment retroactive to the appropriate date in December.
Councilmember Hendricks accepted the friendly amendment.

The motion carried by the following vote:

Yes: 5 - Mayor Griffith
Vice Mayor Martin-Milius
Councilmember Whittum
Councilmember Hendricks
Councilmember Larsson
No: 2 - Councilmember Meyering
Councilmember Davis

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Whittum reported VTA is soliciting public input on their two-year transit plan.

Councilmember Davis reported he spent a week in Washington, DC and met with representatives from Congresswoman Eshoo's office, Congresswoman Lofgren's office and Congressman Honda's office.

Vice Mayor Martin-Milius reported her attendance at Arbor Day events, Hindu New Year events and a meeting of the Parks and Recreation Commission as Council Liaison.

Councilmember Larsson reported his attendance at a VTA Policy Advisory meeting as Councilmember Davis' alternate.

Councilmember Whittum announced an upcoming VTA El Camino Real Rapid Transit Policy Advisory Board meeting.

Mayor Griffith reported the Cities Association received presentations by the VTA at a recent meeting. Mayor Griffith reported he has created two new Ad Hoc Committees: one regarding interfacing with City staff regarding Community Choice Aggregation including Mayors from Cupertino, Mountain View and Sunnyvale and a

representative from Board President Cortese's office, and a committee to work with the City Manager to talk about the advancement of the Civic Center outreach which includes Vice Mayor Martin-Milius, Councilmembers Davis and Hendricks.

NON-AGENDA ITEMS & COMMENTS

-Council

Councilmember Whittum requested information to understand the City's open space agreement with the school district as it pertains to Charter schools.

Councilmember Davis sponsored a study issue to discuss the concept of using bond money to build affordable housing.

Councilmember Whittum co-sponsored the study issue.

Vice Mayor Martin-Milius requested an upcoming agenda item to discuss an amicus brief related to Lehigh plant.

Councilmember Whittum requested staff come back with information regarding the Lehigh plant issue.

Councilmember Meyering reported residents of North Sunnyvale are having problems with TV broadcast reception near tall buildings and requested an item on an upcoming agenda to discuss the commitments to the affected residents and how they will be addressed.

Councilmember Whittum requested an update on the TV reception issue.

-City Manager

None.

INFORMATION ONLY REPORTS/ITEMS

15-0203	Tentative Council Meeting Agenda Calendar
15-0134	Information/Action Items
15-0212	Study Session Summary of February 17, 2015 - Review of Performance Evaluation Tools for the City Manager and City Attorney
15-0310	Study Session Summary of February 24, 2015 - Review Draft Lawrence Station Area Plan

[15-0311](#) Study Session Summary of February 24, 2015 - Peery Park
Specific Plan

[15-0285](#) Board/Commission Meeting Minutes

ADJOURNMENT

Mayor Griffith adjourned the meeting at 12:33 a.m.