



City of Sunnyvale

Meeting Minutes City Council

Tuesday, May 5, 2015

5:00 PM

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

Special Meetings: Closed Sessions-5 PM and 5:30 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 pursuant to California Government Code Section 54956.8: Conference with Real Property Negotiators; nothing to report.

Vice Mayor Martin-Milius reported Council met in Closed Session pursuant to California Government Code Section 54957.6: Conference with Labor Negotiators; nothing to report.

SPECIAL ORDER OF THE DAY

[15-0432](#) SPECIAL ORDER OF THE DAY - Teen Self-Esteem Month Proclamation

Mayor Griffith and Superintendent of Community Services Dan Wax presented a proclamation to Teen Advisory Committee President Isabela Quilici and Vice President Tingyee Chang in recognition of Teen Self Esteem Month.

PUBLIC ANNOUNCEMENTS

Councilmember Meyering announced the upcoming Hands on the Arts event.

Councilmember Whittum announced an upcoming National River Clean Up Day event.

Kevin Jackson, Bicycle and Pedestrian Advisory Commission member speaking for himself, announced the upcoming Bike to Work Day event.

Michael Goldman announced a signature event of the Sunnyvale Public Lands for Public Use initiative and presented a PowerPoint presentation.

David Wessel, Democratic Club of Sunnyvale, spoke regarding wage theft, announced an upcoming meeting of the club, and presented a PowerPoint presentation.

CONSENT CALENDAR

Councilmember Meyering requested to pull Items 1.A, 1.B, 1.C, 1.D, 1.E and 1.F from the Consent Calendar.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Larsson seconded the motion to approve Consent Calendar Item 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 [15-0469](#) Approve City Council Meeting Minutes of April 21, 2015

Public Hearing opened at 10:57 p.m.

No speakers.

Public Hearing closed at 10:57 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Whittum seconded the motion to approve the City Council Meeting Minutes of April 21, 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 [15-0479](#) Approve City Council Meeting Minutes of April 28, 2015

Public Hearing opened at 10:57 p.m.

No speakers.

Public Hearing closed at 10:57 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Whittum seconded the motion to approve the City Council Meeting Minutes of April 28, 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 [15-0474](#) Approve the List(s) of Claims and Bills Approved for Payment
by the City Manager

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 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 [15-0427](#) Award of Contract for the Design of Mary Avenue Bicycle
Lanes (F15-52)

Public Hearing opened at 11:02 p.m.

No speakers.

Public Hearing closed at 11:02 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Larsson seconded the motion to 1) Award a contract, in substantially the same format as Attachment 1 to the report and in the amount of \$189,900 to Whitlock & Weinberger, Inc. (W Trans) 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 \$18,990. 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.E** [15-0436](#) Award of Bid No. PW15-19 for Traffic Signal Modification - Sunnyvale-Saratoga Road at Fremont Avenue and Award of Bid No. PW15-20 for Traffic Signal Modification - Mathilda Avenue at Maude Avenue, and Finding of CEQA Categorical Exemption

Public Hearing opened at 11:03 p.m.

No speakers.

Public Hearing closed at 11:03 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Larsson seconded the motion to 1) Make finding of CEQA categorical exemption for existing facilities pursuant to Class 1, Section 15301(a) for both projects; 2) Award a contract, in substantially the same format as Attachment 3 to the report and in the amount of \$221,098 to Pacific Electric Contracting, Inc. for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; 3) Award a contract, in substantially the same format as Attachment 4 to the report and in the amount of \$212,604 to Pacific Electric Contracting, Inc. for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 4) Approve 10% construction contingencies for both projects as follows: \$22,109 for Sunnyvale Saratoga at Fremont and \$21,260 for Mathilda at Maude. 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.F [15-0163](#) Continuation of Supplemental Law Enforcement Services (SLES) Funds and Approval of Budget Modification No. 43

Public Hearing opened at 11:06 p.m.

No speakers.

Public Hearing closed at 11:06 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Larsson seconded the motion to approve Budget Modification No. 43 to appropriate \$60,673 in Supplemental Law Enforcement Services (SLES) funding and approve the full amount of available SLES funds to partially fund one Public Safety Lieutenant position. 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.G [15-0420](#) Receive and File the City of Sunnyvale Investment Report - 1st Quarter 2015

Receive and file the City of Sunnyvale FY 2014/15 Period 10 investment report.

PUBLIC COMMENTS

Erin Jew expressed concerns regarding the rezoning and potential development of Charles Street.

Maria Pan spoke regarding a perceived misunderstanding regarding her identity.

Michael Goldman spoke regarding modernization of the Civic Center and presented a PowerPoint presentation.

Steve Caroompas spoke regarding the Block 15 high density residential proposal citing concerns regarding traffic, parking, loss of privacy, loss of home equity and the impact on schools and recommended low density housing.

Clare Meyerson spoke regarding the need for affordable housing for people with developmental disabilities.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [15-0156](#) Approve 2015-2020 Housing and Urban Development (HUD)
Consolidated Plan

Housing Officer Suzanne Ise presented the staff report.

Public Hearing opened at 7:34 p.m.

Michelle Schroeder, Senior Adults Legal Assistance (SALA), provided information regarding the services provided by SALA and spoke in support of the plan.

Marie Bernard, Executive Director, Sunnyvale Community Services, provided information regarding the services provided by the agency, provided written materials and spoke in support of the plan.

Public Hearing closed at 7:39 p.m.

MOTION: Councilmember Hendricks moved and Vice Mayor Martin-Milius seconded the motion to approve Alternative 1: Approve the 2015 2020 Consolidated Plan as provided in Attachment 1 to the report.

AMENDMENT: Councilmember Meyering moved to amend the motion to include an additional primary goal to bring the reopening of the homeless shelter in Sunnyvale with space for 150 individuals by November 15, 2015.
The motion to amend 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 [15-0158](#) Consider Approval of Draft Housing and Urban Development (HUD) Action Plan and Proposed Human Services Grants for FY 2015-16

Housing Officer Suzanne Ise presented the staff report.

Public Hearing opened at 8:16 p.m.

Pilar Furlong, Director of Community Resources, Bill Wilson Center, spoke regarding the agency's counseling program.

Annette Kirkham, Law Foundation Silicon Valley, spoke regarding the services provided by the agency and in support of approving the recommended level of funding.

Linda Dominguez, Catholic Charities, spoke regarding the agency's long term ombudsmen program and in support of the commission's recommendation.

Michele Schroeder, Senior Adults Legal Assistance (SALA), spoke regarding the services provided by SALA and in support of the funding recommendation.

Pat Lawson-North, Vision Literacy, spoke regarding the agency's adult and family literacy program.

Maritza Henry, Director of School-Based Services, Family and Children's Services spoke regarding the services provided by the agency and in support of consideration of funding at \$14,000.

Greg Pensinger, WorkFirst Sunnyvale, provided information regarding the services provided by the agency.

Marie Bernard, Sunnyvale Community Services, spoke regarding case management services to the homeless.

Kathleen King, CEO, Healthier Kids, spoke regarding the services provided by the agency and submitted written materials.

Chrichelle McCloud, member of the Housing and Human Services Commission, provided information regarding the commission's deliberations and funding recommendations.

Colleen Hudgen, Executive Director, Live Oak Senior Day Care, provided

information about the services provided by the agency and submitted written materials.

Public Hearing closed at 8:56 p.m.

MOTION: Councilmember Whittum moved and Councilmember Davis seconded the motion to approve Alternatives 1 and 4: 1) Approve the 2015 16 Action Plan as presented in Attachment 1 to the report; and 4) Approve the HHSC-recommended General Fund human services grants as shown in Attachment 3 to the report, subject to Council budget appropriations in June.

AMENDMENT: Councilmember Hendricks moved to amend the motion and Councilmember Whittum seconded to add \$10,000 to Healthier Kids Foundation of Santa Clara County, partially funded with Councilmember Hendricks' unused travel budget.

Following discussion, Councilmember Hendricks withdrew the amendment.

AMENDMENT: Councilmember Larsson moved to amend the motion and Councilmember Whittum seconded to approve Alternative 3: Approve the staff recommended list of General Fund human services grants as presented in Attachment 3 to the report, subject to Council budget appropriations in June, plus an additional \$20,000: \$10,000 to Healthier Kids Foundation of Santa Clara County for Vision First and \$5,000 to Live Oak Adult Day Services and \$5,000 to Maitri.

The motion to amend carried by the following vote:

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

No: 1 - Mayor Griffith

The main motion carried by the following vote:

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

No: 1 - Mayor Griffith

Council recessed at 9:24 p.m.

Council reconvened at 9:36 p.m. with all Councilmembers present.

- 4** [15-0213](#) Acknowledge the Department of Public Works' Amendments to the Operational Standards for Acceptance of Land for Park Purposes

Director of Public Works Manuel Pineda presented the staff report. Russell Juncal, Ground Zero Analysis, provided additional information.

Public Hearing opened at 10:08 p.m.

No speakers.

Public Hearing closed at 10:08 p.m.

MOTION: Councilmember Whittum moved and Councilmember Larsson seconded the motion to approve Alternative 3: Acknowledge the Department of Public Works Operational Standards for Acceptance of Land for Park Purposes, as presented in Attachment 3 to the report.

FRIENDLY AMENDMENT: Vice Mayor Martin-Milius offered a friendly amendment to exempt the Watt project from being changed.
The friendly amendment was not considered.

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

- 5 [15-0245](#) Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Primary Treatment Facility Project at the Water Pollution Control Plant; Provide an Update on Equipment Purchasing; and Approval to Proceed with the Project

Assistant Director of Public Works Craig Mobeck presented the staff report.

Public Hearing opened at 10:21 p.m.

No speakers.

Public Hearing closed at 10:21 p.m.

MOTION: Councilmember Hendricks moved and Vice Mayor Martin-Milius seconded the motion to approve Alternative 1: Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Primary Treatment Facility Project, and approve proceeding with the Project.

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** [15-0431](#) Award of a Contract in the Amount of \$8,051,120 for Water Pollution Control Plant Construction Management Services and Approval of Budget Modification No. 46 (F15-40)

Assistant Director of Public Works Craig Mobeck presented the staff report.

Public Hearing opened at 10:36 p.m.

No speakers.

Public Hearing closed at 10:36 p.m.

MOTION: Councilmember Hendricks moved and Vice Mayor Martin-Milius seconded the motion to 1) Award a contract, in substantially the same format as Attachment 1 to the report and in the amount of \$8,051,120, to The Covello Group, Inc. 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% contract contingency in the amount of \$805,112 for the project, and 3) Approve Budget Modification No. 46.

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 [15-0439](#) Approve Budget Modification No. 44 in the Amount of \$140,000 to Cover Projected Deficits in the Golf and Tennis Operations Fund for FY 2014/15

Director of Public Works Manuel Pineda presented the staff report. Superintendent of Parks and Golf Scott Morton and City Manager Deanna Santana provided additional information.

Public Hearing opened at 10:56 p.m.

No speakers.

Public Hearing closed at 10:56 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Whittum seconded the motion to approve Alternative 1: Approve Budget Modification No. 44 in the amount of \$140,000 to cover projected deficits in the Golf and Tennis Operations Fund for FY 2014/15. 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

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Whittum provided information regarding the next VTA meeting, his attendance at an El Camino BRT Policy Advisory Board meeting and a VTA Workshop. Whittum reported the Board was notified that Caltrans has taken an action on Silicon Valley express lanes for State Route 85.

MOTION: Councilmember Whittum moved to add an agenda item at the next Council meeting to discuss the Silicon Valley Express Lanes SR 85 Environmental Analysis.

The motion died due to lack of a second.

NON-AGENDA ITEMS & COMMENTS

-Council

Councilmember Whittum inquired about a possible wage theft ordinance and requested information from staff regarding recycled water.

City Manager Santana stated she would include information in the next City Manager's Bi-Weekly Report.

Mayor Griffith reported a meeting with the Santa Clara Valley Water District. Griffith reported an upcoming Santa Clara Valley Water District Water Summit.

Councilmembers Hendricks and Martin-Milius confirmed they are planning to attend.

-City Manager

None.

INFORMATION ONLY REPORTS/ITEMS

[15-0477](#) Tentative Council Meeting Agenda Calendar

[15-0376](#) Information/Action Items

[15-0294](#) Board/Commission Meeting Minutes

ADJOURNMENT