



# City of Sunnyvale

## Meeting Minutes City Council

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Tuesday, November 17, 2015

4:30 PM

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

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**Closed Session-4:30 PM | Study Sessions-5 PM (West Conference Room) and 5:30 PM  
(Council Chambers) | 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 REPORT**

Vice Mayor Martin-Milius reported the Council met in Closed Session pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS; direction was given.

#### **ORAL COMMUNICATIONS**

Charles Wallin spoke regarding the Civic Center project.

Michael Goodman spoke regarding space considerations for the Library and provided a PowerPoint presentation.

#### **CONSENT CALENDAR**

Councilmember Meyering pulled Items 1.A, 1.B and 1.D, 1.F and 1.H.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Hendricks seconded the motion to approve Consent Calendar Items 1.C, 1.E 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**     [15-0888](#)     Approve City Council Meeting Minutes of November 10, 2015

Public Hearing opened at 11 p.m.

No speakers.

Public Hearing closed at 11 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Davis seconded the motion to approve the City Council Meeting Minutes of November 10, 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**     [15-0997](#)     Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Public Hearing opened at 11 p.m.

No speakers.

Public Hearing closed at 11 p.m.

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

**No:** 1 - Councilmember Meyering

- 1.C**      [15-0947](#)      Approve Mortgage Credit Certificate Program (MCC)  
Cooperative Agreement between the County of Santa Clara  
and the City of Sunnyvale

Approve the MCC Cooperative Agreement with the County of Santa Clara as shown in Attachment 2 to the report and authorize the City Manager or designee to sign the Agreement.

- 1.D**      [15-0964](#)      Award of Contract to Overhaul a Truck Mounted Paint Striper  
(F16-28)

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 award a contract in the amount of \$352,287 to M-B Companies, Inc. for one truck mounted paint striper, in substantially the same form as the draft purchase order attached to the report.

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**      [15-0967](#)      Reject Bid Received in Response to Invitation for Bids No.  
F16-09 for Streets, Parks and Golf Tree Maintenance

## Services

Reject the bid received in response to Invitation for Bids No. F16-09.

- 1.F**      [15-0982](#)      Award of Contract for a Comprehensive Citywide Evaluation of Bridges, Culverts and Levees

Public Hearing opened at 11:04 p.m.

No speakers.

Public Hearing closed at 11:04 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Hendricks seconded the motion to award a contract, in substantially the same format as Attachment 1 to the report and in the amount of \$180,000, to NV5, Inc. for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and approve a 10% contract contingency in the amount of \$18,000.

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.G**      [15-0491](#)      Approve Changes to Council Policies 7.4.5, 7.4.6, 7.4.7, and 7.4.8 in Council Policy Manual Chapter 7, Section 4 Regarding Council Support and Processes

Approve proposed changes to Council Policies as recommended in Attachments 1, 2, 3, and 4 to the report.

- 1.H**      [15-0948](#)      Authorize the City Manager to Execute a Funding Agreement between the City of Sunnyvale and Santa Clara Valley Water District for the Construction of Recreational Trails as Part of the Sunnyvale West Channel and Sunnyvale East Channel Project and Approve Budget Modification No. 12 to Appropriate \$500,000 from Park Dedication Funds for Construction of the Trail

Public Hearing opened at 11:05 p.m.

No speakers.

Public Hearing closed at 11:05 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Hendricks seconded the motion to authorize the City Manager to execute a Cost Sharing Agreement between the City of Sunnyvale and Santa Clara Valley Water District for the construction of recreational trails as part of the Sunnyvale West Channel and Sunnyvale East Channel Flood Protection Project and Approve Budget Modification No. 12 to Appropriate \$500,000 from Park Dedication Funds for Construction of the Trail.

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

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

#### **2      [15-0079](#)      Appoint Applicants to Boards and Commissions**

City Clerk Kathleen Franco Simmons conducted paper ballot votes, tallied the votes and reported the results as follows:

##### BOARD OF LIBRARY TRUSTEES (1 term to 6/30/2019):

Mark Isaak

VOTE: 7 – 0 – 0 (Affirmative votes by all Councilmembers)

City Clerk Franco Simmons announced Mark Isaak was appointed to the Board of Library Trustees to serve a term expiring 6/30/2019.

##### PLANNING COMMISSION (1 term to 6/30/2019):

Henry Alexander III

VOTE: 4 – 1 – 2 (Affirmative votes by Meyering, Whittum, Martin-Milius, Davis; No by Hendricks; Abstentions by Griffith, Larsson)

Stanley Hendryx

VOTE: 2 - 1 – 4 (Affirmative votes by Whittum, Martin-Milius; No by Hendricks;

Abstentions by Meyering, Griffith, Larsson, Davis)

Melanie Holthaus

VOTE: 0 – 1 – 6 (No by Hendricks; Abstentions by Meyering, Whittum, Martin-Milius, Griffith, Larsson and Davis)

Paul Kim

VOTE: 0 – 1 – 6 (No by Hendricks; Abstentions by Meyering, Whittum, Martin-Milius, Griffith, Larsson and Davis)

Narendra Pathak

VOTE: 2 – 1 – 4 (Affirmative vote by Whittum, Davis; No by Hendricks; Abstentions by Meyering, Martin-Milius, Griffith, Larsson)

Carol Weiss

VOTE: 4 – 1 – 2 (Affirmative votes by Whittum, Martin-Milius, Griffith, Larsson; No by Hendricks, Abstentions by Meyering, Davis)

City Clerk Franco Simmons announced two Planning Commission applicants received four affirmative votes and the tie would need to be broken by an additional ballot.

BOARD OF BUILDING CODE APPEALS (1 term to 6/30/2016, 1 term to 6/30/2017, 1 term to 6/30/2019):

Paul Kim

VOTE: 6 – 0 – 1 (Affirmative votes by Whittum, Martin-Milius, Griffith, Hendricks, Larsson, Davis; Abstention by Meyering)

City Clerk Franco Simmons announced Paul Kim was appointed to the Board of Building Code Appeals.

PARKS AND RECREATION COMMISSION (1 term to 6/30/2018)

Paul Kim

VOTE: 7 – 0 – 0 (Affirmative votes by all Councilmembers)

City Clerk Franco Simmons announced Paul Kim was appointed to the Parks and Recreation Commission to serve a term expiring 6/30/2018.

HOUSING AND HUMAN SERVICES COMMISSION (1 term to 6/30/2017)

Narendra Pathak

VOTE: 7 – 0 – 0 (Affirmative votes by all Councilmembers)

City Clerk Franco Simmons announced Narendra Pathak was appointed to the Housing and Human Services Commission to serve a term expiring 6/30/2017.

TIE BREAKER

PLANNING COMMISSION (1 term to 6/30/2019):

Henry Alexander III

VOTE: 3 – 0 – 4 (Affirmative votes by Meyering, Whittum, Davis; Abstentions by Martin-Milius, Griffith, Hendricks, Larsson)

Carol Weiss

VOTE: 4 – 0 – 3 (Affirmative votes by Whittum, Martin-Milius, Griffith, Larsson; Abstentions by Meyering, Hendricks, Davis)

City Clerk Franco Simmons announced Carol Weiss was appointed to the Planning Commission to serve a term expiring 6/30/2019.

MOTION: Councilmember Whittum moved and Councilmember Larsson seconded the motion to appoint Paul Kim to the Board of Building Code Appeals with a term expiring 6/30/2016.

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**

- 3**      [15-0983](#)      Discussion and Possible Action Regarding the Conversion of Part-Time Bicycle Lanes on Homestead Road to Full-Time Bicycle Lanes (Study Issue)

Director of Public Works Manuel Pineda provided the staff report. Transportation and Traffic Manager Shahid Abbas provided additional information.

Public Hearing opened at 8:15 p.m.

Harlan Howard stated there is not a problem with the current parking situation on Homestead Road.

John Cordes, speaking for himself, requested Council reject the staff recommendation in favor of full time bike lanes.

Mohan Rao spoke in opposition to the proposal to convert the part-time bicycle lanes on Homestead Road to full-time bicycle lanes due to parking concerns.

Bryan Lennon spoke in support of Mohan Rao's comments, the staff recommendation to leave the lanes as-is and the recommendation regarding speed limits.

Sanjay Gajare spoke in support of maintaining the status quo and in support of the staff recommendation.

Richard Kolber spoke in support of the full-time bike lanes for the safety of bicyclists.

Dave Jones, Chair, Bicycle and Pedestrian Advisory Commission, reported the commission's recommendation in support of conversion of Homestead to full-time bicycle lanes.

Jim Stallman spoke in support of full-time bicycle lanes on Homestead as a key cross-street from Santa Clara through Sunnyvale.

Kevin Jackson, Bicycle and Pedestrian Advisory Commission member, spoke in support of the commission recommendation for full time bike lanes.

Public Hearing closed at 8:48 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Davis seconded the motion to approve Alternative 1: Continue to maintain the existing Homestead Road part time bike lanes and parking as is and reevaluate in approximately three years.

FRIENDLY AMENDMENT: Councilmember Larsson offered a friendly amendment to extend the evening hours to 7 p.m.

Councilmember Hendricks declined to accept the friendly amendment.

The motion carried by the following vote:



**Yes: 6 -** Mayor Griffith  
Councilmember Whittum  
Councilmember Meyering  
Councilmember Davis  
Councilmember Hendricks  
Councilmember Larsson

**No: 1 -** Vice Mayor Martin-Milius

Councilmember Whittum sponsored a study issue regarding pedestrian improvements on Homestead to support eventual implementation of bike lanes such as improvement of the path from Homestead to Londonderry, lighted crosswalks, or other such measures as staff might identify; and measures to make the prevailing speed safer.

Councilmember Hendricks co-sponsored the study issue.

MOTION: Councilmember Larsson moved and Vice Mayor Martin-Milius seconded the motion to extend the hours of the part-time bike lanes on Homestead to 7 p.m.

FRIENDLY AMENDMENT: Councilmember Whittum offered a friendly amendment to omit the areas between Blaney and Wolfe.

Councilmember Larsson declined to accept the friendly amendment.

The motion failed by the following vote:

**Yes: 3 -** Vice Mayor Martin-Milius  
Councilmember Meyering  
Councilmember Larsson

**No: 4 -** Mayor Griffith  
Councilmember Whittum  
Councilmember Davis  
Councilmember Hendricks

- 4      [15-0912](#)      File #: 2014-7416 and 2014-7417  
Location: 915 DeGuigne Drive and 936 E. Duane Avenue  
(APNs: 205-21-001 and 2015-21-002)  
Proposed Project:  
General Plan Amendment to change from Industrial to  
Medium Density Residential for 915 DeGuigne Drive and from  
Industrial to Public Facility: Park for 936 E. Duane Avenue;  
Rezoning from M-S to R-3/PD for 915 DeGuigne Drive and  
M-S to PF for 936 E. Duane Avenue; and  
East Sunnyvale Sense of Place Plan

Environmental Review: Environmental Impact Report.  
Applicant/Owner: Watt Investments at Sunnyvale, LLC

Director of Community Development Trudi Ryan provided the staff report. Director of Public Works Manuel Pineda provided additional information. Traffic Consultant Mike Mowery, Kimley-Horn, provided information and responded to questions regarding traffic.

Public Hearing opened at 9:46 p.m.

Applicant Max Frank, Division President, Watt Communities, provided information regarding the project and responded to questions.

Councilmember Whittum disclosed he had a phone meeting with Max Frank.

Jay Herbert spoke regarding parking and traffic concerns near schools, offered suggestions to address the traffic concerns, and provided several overhead slides.

Michael Fox spoke in support of the project citing the job opportunities for local trades people and the quality of the project for future residents.

Stan Hendryx spoke regarding the park dedication for the project in relation to the Quimby Act requirements.

Applicant Max Frank provided information in response to comments raised during the public hearing.

Public Hearing closed at 10:30 p.m.

MOTION: Vice Mayor Martin-Milius moved and Councilmember Davis seconded the motion to approve Alternatives 1, 2, 3 and 4: 1) Certify the Environmental Impact Report, make the findings required by CEQA and adopt a Statement of Overriding Considerations and Mitigation Monitoring Program; 2) Adopt a resolution amending the General Plan land use designation from Industrial to Residential Medium Density for 915 DeGuigne Drive and from Industrial to Public Facility: Park for 936 E. Duane Avenue; 3) Introduce an ordinance to rezone 915 DeGuigne from M-S to R 3/PD and 936 E. Duane Avenue from M-S to PF; and 4) Adopt the East Sunnyvale Sense of Place Plan.

City Clerk Kathleen Franco Simmons read the ordinance titles.

The 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

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

Vice Mayor Martin-Milius reported she and Mayor Griffith attended the Potable Water Reuse Committee meeting between the Water District and the City of Sunnyvale.

Mayor Griffith reported at the last meeting of the Cities Association of Santa Clara County he was elected President for next year.

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

#### **-Council**

Councilmember Meyering spoke regarding the start time of the December 10 special meeting.

#### **-City Manager**

None.

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

- |                         |                                                                                                             |
|-------------------------|-------------------------------------------------------------------------------------------------------------|
| <a href="#">15-0085</a> | Tentative Council Meeting Agenda Calendar                                                                   |
| <a href="#">15-0917</a> | Information/Action Items                                                                                    |
| <a href="#">15-1004</a> | Board and Commission Workshop Summary of August 26, 2015 - Civic Center Modernization Project Site Planning |
| <a href="#">15-0083</a> | Study Session Summary of November 10, 2015 - Board and Commission Interviews                                |
| <a href="#">15-0468</a> | Board/Commission Meeting Minutes                                                                            |

### **ADJOURNMENT**

Mayor Griffith adjourned the meeting at 11:18 p.m.