City of Sunnyvale

Meeting Minutes
City Council

Tuesday, January 5, 2016 **6:00 PM** **West Conference Room and Council Chambers, City Hall, 456 W. Olive Ave., Sunnyvale, CA 94086**

Special Meeting-Closed 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 REPORT

Vice Mayor Martin-Milius reported the Council met in Closed Session pursuant to California Government Code Section 54957.6: Conference with Labor Negotiators; no direction was given, no action was taken.

SPECIAL PRESENTATION

Mayor Griffith presented a plaque to outgoing Director of Finance Grace Leung in appreciation for her service to the City.

ORAL COMMUNICATIONS

Kevin Chen, President of the Teen Advisory Committee extended an invitation to an upcoming Teen Advisory Committee sponsored blood drive.

Michael Goldman spoke regarding Library circulation and provided a PowerPoint

presentation.

Kevin Jackson, member of the Bicycle and Pedestrian Advisory Commission speaking for himself, spoke regarding a funding need for the Safe Routes to School program.

Vice Mayor Martin-Milius spoke regarding an article in the City's recent Quarterly Report regarding the City's position as a semi-finalist in the Georgetown University Energy Prize (GUEP) Competition for the City's "Energize Sunnyvale" program.

CONSENT CALENDAR

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

MOTION: Vice Mayor Martin-Milius moved and Councilmember Larsson seconded the motion to approve Consent Calendar Items 1E, 1.G, 1.I and 1.J.

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

Council took action on Item 1.D at this time. The balance of the Consent Calendar was handled following the Public Hearings/General Business portion of the agenda.

1.A 15-0770 Approve the Joint City Council and Successor Agency to the Redevelopment Agency Special Meeting Minutes of December 10, 2015

Public hearing opened at 10:07 p.m.
No speakers.
Public hearing closed at 10:07 p.m.

MOTION: Councilmember Martin-Milius moved and Vice Mayor Larsson seconded the motion to approve the Joint City Council and Successor Agency to the Redevelopment Agency Special Meeting Minutes of December 10, 2015 as

submitted.

The motion carried by the following vote:

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

No: 1 - Councilmember Meyering

1.B 15-1073 Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Public hearing opened at 10:08 p.m.
No speakers.
Public hearing closed at 10:08 p.m.

MOTION: Councilmember Davis moved and Vice Mayor Larsson seconded the motion to approve the list(s) of claims and bills.

The motion carried by the following vote:

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

No: 1 - Councilmember Meyering

1.C 15-1061 Approve Budget Modification No. 19 for $37,479 to Fund the Comprehensive Standards of Coverage Study, Community Risk Assessment, and Fire Station Condition and Serviceability Assessment (RFQ I16-03)

Public hearing opened at 10:10 p.m.
No speakers.
Public hearing closed at 10:10 p.m.

MOTION: Councilmember Martin-Milius moved and Councilmember Davis seconded the motion to approve Budget Modification No. 19 in the amount of $37,479 to provide additional funding for the Comprehensive Standards of Coverage Study, Community Risk Assessment, and Fire Station Condition and Serviceability Assessment contract with Citygate Associates, LLC.

The motion carried by the following vote:

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

No: 1 - Councilmember Meyering

1.D 15-1075 Award of Four Multi-year Contracts for Services Related to the Food Scrap Collection Program (F16-43)

Public hearing opened at 7:20 p.m.
No speakers.
Public hearing closed at 7:20 p.m.

MOTION: Vice Mayor Martin-Milius and Councilmember Larsson seconded the motion to approve 1) Award four contracts, not to exceed budgeted amounts, to Bay Counties Waste Services, Recology Blossom Valley Organics, Zanker Road Resource Management, Ltd., and Zero Waste Development Company LLC; and 2) delegate authority to City Manager to renew the service agreements for up to three (3) additional years, subject to budgeted funding and acceptable pricing and service.

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

Following action on Item 1.D, Council handled the Public Hearings/General Business items.

1.E 15-1080 Award of Contract for Water Tank Mixing Systems (F16-63)

Award a contract in the amount of $332,439 to PAX Water Technologies for PAX water mixers and water quality stations in substantially the same form as the attached draft purchase order.

1.F 15-1096 Adopt a Revision to the San Miguel School Open Space Master Plan

Public hearing opened at 10:14 p.m.
No speakers.
Public hearing closed at 10:14 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to adopt a revision to the San Miguel School Open Space Master Plan to include the new classrooms as shown in Attachment 2 to the report.

The motion carried by the following vote:

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

No: 1 - Councilmember Meyering

1.G 15-1097 Approve the Third Amendment to an Agreement between City of Sunnyvale and Sunnyvale Historical Society and Museum Association Pertaining to Design, Development, Construction and Lease of a Heritage Museum at the Sunnyvale Heritage Center to Install Solar Panels

Approve the Third Amendment to Agreement between City of Sunnyvale and Sunnyvale Historical Society and Museum Association Pertaining to Design, Development, Construction and Lease of a Heritage Museum at the Sunnyvale Heritage Center to Install Solar Panels.

1.H 15-1101 Award of Bid No. PW16-02 for Emergency Flow Management Improvements at the Water Pollution Control Plant

Public hearing opened at 10:19 p.m.
No speakers.
Public hearing closed at 10:19 p.m.

MOTION: Councilmember Martin-Milius moved and Councilmember Davis seconded the motion to 1) Make a finding of CEQA Categorical Exemption pursuant to Class 1, Section 15301 for maintenance and minor alterations of existing public facilities involving negligible or no expansion of use; 2) award a contract, in substantially the same format as Attachment 2 to the report and in the amount of $1,545,100 to Anderson Pacific Engineering Construction, Inc.; and 3) approve a 10% construction contingency in the amount of $154,510.

The motion carried by the following vote:

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

No: 1 - Councilmember Meyering

1.I 15-1119 Adopt Ordinance No. 3070-16 Amending Ordinance No. 3053-15, the Nonexclusive Franchise for Yellow Checker Cab Company, Inc, DBA Checker Cab of Silicon Valley, to Add the DBA Rainbow Cab

Adopt Ordinance No. 3070-16.

1.J 15-1120 Adopt Ordinance No. 3071-16 Authorizing the Implementation of a Community Choice Aggregation (CCA) Program

Adopt Ordinance No. 3071-16.

1.K 16-0009 Approve the 2016 City Council Meeting Calendar

Public hearing opened at 10:22 p.m.
No speakers.
Public hearing closed at 10:22 p.m.

MOTION: Councilmember Martin-Milius moved and Councilmember Larsson seconded the motion to approve the proposed 2016 City Council Meeting dates through February 2017 as submitted.

The motion carried by the following vote:

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

No: 1 - Councilmember Meyering

PUBLIC HEARINGS/GENERAL BUSINESS

2 16-0001 Select Mayor for 2016

City Clerk Kathleen Franco Simmons provided the staff report.

Public hearing opened at 7:22 p.m.

David Wessel, speaking on his own behalf, spoke in support of David Whittum for Mayor.

Public hearing closed at 7:25 p.m.

Mayor Griffith called for nominations for Mayor.

1st nomination: Vice Mayor Martin-Milius nominated Councilmember Hendricks for Mayor.
Councilmember Hendricks accepted the nomination.

2nd nomination: Councilmember Meyering nominated Councilmember Whittum for Mayor.
Councilmember Whittum accepted the nomination.

Mayor Griffith closed nominations.

Councilmember Hendricks provided a candidate statement.
Councilmember Whittum provided a candidate statement.

VOTE on 1st nomination for Mayor- Councilmember Hendricks:

Yes: 4 - Mayor Griffith
Vice Mayor Martin-Milius
Councilmember Hendricks
Councilmember Larsson

No: 0

Abstain: 3 - Councilmember Meyering
Councilmember Whittum
Councilmember Davis

Pursuant to Council Policy, Mayor Griffith declared Council has elected Councilmember Hendricks to serve as Mayor for 2016.

Mayor Hendricks took the Mayor's seat and presided over the remainder of the meeting.

3 16-0002 Select Vice Mayor for 2016

City Clerk Kathleen Franco Simmons provided the staff report.

Public hearing opened at 7:33 p.m.

David Wessel spoke in support of Councilmember Larsson for Vice Mayor.

Public hearing closed at 7:34 p.m.

Mayor Hendricks called for nominations for Vice Mayor.

1st nomination: Councilmember Griffith nominated Councilmember Larsson for Vice Mayor.
Councilmember Larsson accepted the nomination.

2nd nomination: Councilmember Whittum nominated Councilmember Davis for Vice Mayor.
Councilmember Davis accepted the nomination.

Mayor Hendricks closed nominations.

Councilmember Larsson provided a candidate statement.
Councilmember Davis provided a candidate statement.

VOTE on 1st nomination for Vice Mayor - Councilmember Larsson:

Yes: 4 - Mayor Hendricks
Vice Mayor Martin-Milius
Councilmember Griffith
Councilmember Larsson

No: 0

Abstain: 3 - Councilmember Meyering
Councilmember Whittum
Councilmember Davis

Pursuant to Council Policy, Mayor Hendricks declared Council has elected Councilmember Larsson to serve as Mayor for 2016.

4 16-0003 Annual Public Hearing - Discussion of Potential Council Study Issues and Budget Issues for Calendar Year 2016

Senior Management Analyst Yvette Blackford provided the staff report.

Public Hearing opened at 7:41 p.m.

Stan Hendryx spoke in support of a study issue regarding non-subsidized housing for low and moderate income service workers. Hendryx provided a PowerPoint presentation and submitted written materials.

Carol Weiss spoke in support of the study issue regarding wage theft.

Tim Oey spoke in support of DPW 16-01 Develop a Vision Zero Plan-Total Elimination of Traffic Fatalities.

Kevin Jackson, Bicycle and Pedestrian Advisory Commission member speaking for himself, spoke in support of DPW 16-01 Develop a Vision Zero Plan-Total Elimination of Traffic Fatalities, DPW 16-02 Determine what is required to Bring City Owned Off-Street Paths in Compliance with Current ADA Accessible & Bicycle Transportation Design Standards and commented that DPW 16-04 Development of Parking Survey Procedures for Provision of Bicycle Space was not written as intended by the Bicycle and Pedestrian Advisory Commission.

David O'Brien spoke in favor of DPW 16-04 Development of Parking Survey Procedures for Provision of Bicycle Space.

David Wessel spoke in support of the study issue regarding wage theft and in support of a previous speaker's comments regarding branch libraries.

John Cordes, Bicycle and Pedestrian Advisory Commission Vice Chair speaking for himself, spoke in support of DPW 16-01 Develop a Vision Zero Plan-Total Elimination of Traffic Fatalities, DPW 16-02 Determine what is required to Bring City Owned Off-Street Paths in Compliance with Current ADA Accessible & Bicycle Transportation Design Standards and DPW 16-04 Development of Parking Survey Procedures for Provision of Bicycle Space.

Michael Serrone, Sunnyvale Democratic Club, spoke in favor of the wage theft study issue, and in support of the proposed affordable housing study issue.

Public Hearing closed at 8:01 p.m.

Councilmember Griffith sponsored a budget issue for adding a Safe Routes to School to staff member. Councilmembers Martin-Milius and Davis co-sponsored the budget issue.

5 16-0004 City Council 2016 Appointments to Intergovernmental and Internal Assignments, Council Subcommittees, and Community Member Appointments

Senior Management Analyst Yvette Blackford provided the staff report.

Councilmember Davis expressed interest in reappointment as an alternate to the SVRA Committee.

Public Hearing opened at 9:58 p.m.
No speakers.
Public Hearing closed at 9:58 p.m.

MOTION: Councilmember Griffith moved and Councilmember Martin-Milius seconded the motion to approve all assignments as drafted with the exception of Councilmember Meyering's appointment to the NLC Committee.

AMENDMENT: Councilmember Whittum moved to amend the motion to add back the appointment of Councilmember Meyering.
Councilmember Whittum withdrew the amendment.

The main motion carrried by the following vote:

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

No: 0

Abstain: 1 - Councilmember Meyering

MOTION: Councilmember Whittum moved to make the appointment for Councilmember Meyering to the NLC Committee.
The motion died due to lack of a second.

6 16-0005 Approve the Proposed 2016 Priority Issues and Short and Long-term Legislative Advocacy Positions (LAPs)

Senior Management Analyst Yvette Blackford provided the staff report.

Public Hearing opened at 10:02 p.m.
No speakers.
Public Hearing closed at 10:02 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve Alternative 1: Approve the Proposed 2016 Priority Issues and Legislative Advocacy Positions and Council Policy Long term Advocacy Positions as proposed to be amended.

The motion carried by the following vote:

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

No: 1 - Councilmember Meyering

7 15-0890 Consider Approval of Conversion Impact Report for Nick's

Trailer Court, located at 1008 E. El Camino Real in Sunnyvale

Housing Officer Suzanne Ise provided the staff report. Translators provided Chinese and Spanish translations. Director of Community Development Trudi Ryan provided additional information.

Applicant Ardie Zahedani, St. Anton Communities, provided information regarding the process.

Public Hearing opened at 8:33 p.m.

Juan Salazar provided information regarding his mobile home.

Claudia Garcia provided information regarding her mobile home.

Public Hearing closed at 9:01 p.m.

Applicant Ardie Zahedani provided information in response to public testimony and Council questions. David Richman, Relocation Specialist, provided additional information.

MOTION: Councilmember Davis moved and Councilmember Larsson seconded the motion to approve Alternative 1: Find that preparation, noticing, and distribution of the Conversion Impact Report has been done in compliance with SMC Chapter 19.72, that the Conversion Impact Report, as modified by the applicant, includes adequate information and options, and that it takes adequate measures to address the adverse social and economic impacts on displaced residents and mobile home owners of a mobile home park conversion; and approve the draft Conversion Impact Report as provided in Attachments 1, 2 and 4 to the report.

FRIENDLY AMENDMENT: Councilmember Griffith offered a friendly amendment to address the speakers' comments that the appraisal numbers were not correct; that the approval be contingent upon satisfactory resolution of the appraisals. Councilmember Davis accepted the friendly amendment.

SUBSTITUTE MOTION: Councilmember Meyering offered a substitute motion to table the first motion and have the City work with County officials to come up with a plan to acquire the property, in the same manner that they worked out for the Buena Vista Mobile Home Park, and maintain it as low income housing. The substitute motion died due to lack of a second.

The main motion carried by the following vote:

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

No: 1 - Councilmember Meyering

Housing Officer Suzanne Ise summarized the next steps in the process. Director of Community Development Trudi Ryan provided additional information.

Public hearing continued:

Unidentified woman, owner at the Blue Bonnet Mobile Home Park, expressed concerns regarding where people can relocate.

Council recessed at 9:44 p.m.
Council reconvened at 9:55 p.m. with all Councilmembers present.

8 16-0006 2016 Seating Arrangements for City Council

By consensus and in order of seniority, Council determined the seating arrangements for 2016 as follows:

Mayor Hendricks remained in the Mayor's seat;
Vice Mayor Larsson selected to take the seat to the Mayor's right;
Councilmember Whittum selected to remain in his current seat to the Vice Mayor's right;
Councilmember Griffith selected to take the seat to the Mayor's left;
Councilmember Meyering selected to remain in the seat to Councilmember Whittum's right;
Councilmember Martin-Milius selected to take the seat to Councilmember's Griffith's right;
Councilmember Davis selected to remain in his current seat to Councilmember Martin-Milius' left.

Following action on the Public Hearings/General Business items, Council handled the balance of the Consent Calendar.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Whittum reported his attendance at a meeting of the El Camino Real Bus Rapid Transit Policy Advisory Board and provided written materials.

Councilmember Martin-Milius reported her attendance at a LAFCO meeting.

Councilmember Griffith reported his attendance at a quarterly NASA meeting.

NON-AGENDA ITEMS & COMMENTS

-Council

None.

-City Manager

City Manager Deanna Santana reported the January 14 special meeting was first included on the TCMAC on September 10, 2015.

City Manager Santana reported an item regarding the Stevens Creek Trail and an item regarding medical marijuana would be added to the February 9 Council meeting.

INFORMATION ONLY REPORTS/ITEMS

15-0516	Tentative Council Meeting Agenda Calendar
15-1109	Information/Action Items
15-0851	Study Session Summary of December 15, 2015 - Discussion of Upcoming Selection of 2016 Mayor and Vice Mayor
15-0009	Board/Commission Meeting Minutes

ADJOURNMENT

Mayor Hendricks adjourned the meeting at 10:38 p.m.