



# City of Sunnyvale

## Meeting Minutes City Council

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Tuesday, August 23, 2016

5:15 PM

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

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**Special Meeting-Closed Session-5:15 PM | Joint Study Session with Planning  
Commission-6 PM | Regular Meeting-7 PM**

### **5:15 P.M. SPECIAL COUNCIL MEETING (Closed Session)**

#### **1 Call to Order in the West Conference Room**

Vice Mayor Larsson called the meeting to order at 5:18 p.m.

#### **2 Roll Call**

**Present:** 6 - Mayor Glenn Hendricks  
Vice Mayor Gustav Larsson  
Councilmember Jim Griffith  
Councilmember Tara Martin-Milius  
Councilmember Pat Meyering  
Councilmember Jim Davis

Councilmember Griffith arrived at 5:23 p.m.

#### **3 Public Comment**

None.

#### **4 Convene to Closed Session**

[16-0838](#)

Closed Session held pursuant to California Government Code  
Section 54957.6: CONFERENCE WITH LABOR  
NEGOTIATORS  
Agency designated representatives: Teri Silva, Director of  
Human Resources; Deanna J. Santana, City Manager  
Employee organization: Public Safety Officers Association  
(PSOA)  
Employee organization: Public Safety Managers Association  
(PSMA)

Employee organization: Unrepresented Employees  
Employee organization: Sunnyvale Employees Association  
(SEA)

## **5 Adjourn Special Meeting**

Vice Mayor Larsson adjourned the meeting at 5:54 p.m.

## **6 P.M. SPECIAL COUNCIL MEETING (Joint Study Session with Planning Commission)**

### **1 Call to Order in the Council Chambers (Open to the Public)**

Vice Mayor Larsson called the meeting to order at 6:02 p.m.

### **2 Roll Call**

**Present:** 6 - Mayor Glenn Hendricks  
Vice Mayor Gustav Larsson  
Councilmember Jim Griffith  
Councilmember Tara Martin-Milius  
Councilmember Pat Meyering  
Councilmember Jim Davis

Planning Commission:

**Present:** 5 - Chair Harrison  
Commissioner Klein  
Commissioner Melton  
Commissioner Olevson  
Commissioner Simons

**Absent:** 2 - Vice Chair Rheaume  
Commissioner Weiss

### **3 Public Comment**

### **4 Joint Study Session**

[16-0688](#) Draft Environmental Impact Report and Land Use and  
Transportation Element

## **5 Adjourn Special Meeting**

Vice Mayor Larsson adjourned the meeting at 7:03 p.m.

**7 P.M. COUNCIL MEETING****CALL TO ORDER**

Mayor Hendricks called the meeting to order.

**SALUTE TO THE FLAG**

Mayor Hendricks led the salute to the flag.

**ROLL CALL**

**Present:** 6 - Mayor Glenn Hendricks  
Vice Mayor Gustav Larsson  
Councilmember Jim Griffith  
Councilmember Tara Martin-Milius  
Councilmember Pat Meyering  
Councilmember Jim Davis

**CLOSED SESSION REPORT**

Vice Mayor Larsson reported the Council met in Closed Session pursuant to California Government Code Section 54957.6: Conference with Labor Negotiators; Agency designated representatives: Teri Silva, Director of Human Resources; Deanna J. Santana, City Manager; Employee organizations: Public Safety Officers Association (PSOA), Public Safety Managers Association (PSMA), Unrepresented Employees, Sunnyvale Employees Association (SEA); nothing to report.

**PRESENTATION**

Mayor Hendricks presented a Certificate of Commendation to Dave Jensen, Director of Information Technology, in recognition of his retirement after 4 years of service to the City.

[16-0060](#)

PRESENTATION - Update from Foothill-De Anza Community College District

Judy Miner, Chancellor, Foothill-De Anza Community College District, introduced District staff and members of the Board. Joan Barron, Board President, provided introductory remarks. Chancellor Miner and Thuy Thi Nguyen, Foothill College President, provided a report and PowerPoint presentation regarding the new Foothill College Sunnyvale Center.

**ORAL COMMUNICATIONS**

Mayor Hendricks announced school has started and asked residents in cars to slow down, be aware and make the area safe for school children.

Mayor Hendricks announced an upcoming San Mateo County Town Hall meeting regarding aircraft disturbances hosted by San Mateo County Board Supervisor Warren Slocum.

Maria Pan provided comments regarding a housing project for low-income and disabled seniors.

Michael Goldman spoke regarding Measure M and the Civic Center.

Peter Cirigliano spoke regarding Measure M.

Steve Scandalis spoke regarding Measure M.

### **CONSENT CALENDAR**

Councilmember Meyering pulled Items 1.A, 1.B, 1.F. and 1.I and requested to record a No vote on Item 1.K.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve Consent Calendar Items 1.C, 1.D, 1.E, 1.G, 1.H, 1.J and 1.K.

The motion carried by the following vote:

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

**No:** 0

**1.A**     [16-0067](#)     Approve City Council Meeting Minutes of August 9, 2016

Public Hearing opened at 9:51 p.m.

No speakers.

Public Hearing closed at 9:51 p.m.

MOTION: Councilmember Meyering moved to deny the minutes until an explanation of the dissenting votes is included in the minutes.

The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve the City Council Meeting Minutes of August 9, 2016 as

submitted.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

**1.B**     [16-0774](#)     Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Public Hearing opened at 9:51 p.m.

No speakers.

Public Hearing closed at 9:51 p.m.

MOTION: Councilmember Meyering moved to deny the claims until Councilmembers are provided with a copy of a bill upon request.  
The motion died due to lack of a second.

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

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

**1.C**     [16-0622](#)     Authorize the Issuance of Purchase Orders for Aggregate Base Materials for the Departments of Environmental Services and Public Works (F16-114)

1) Authorize the issuance of purchase orders for a term of 8/24/16 to 6/30/18 in the amounts of \$286,355 for Public Works purposes and \$184,008 for Environmental Services purposes to Graniterock Company; 2) authorize the issuance of a purchase order for a term of 8/24/16 to 6/30/18 in the amount of \$141,982 to Stevens Creek Quarry; and 3) delegate authority to the City Manager to renew the purchase orders for two additional one year periods, depending upon available

funding and acceptable pricing and service.

- 1.D**      [16-0781](#)      Appoint Ms. Rosanne Foust and Mr. James Ruigomez to the NOVA Workforce Board

Appoint Ms. Roseanne Foust and Mr. James Ruigomez to the NOVA Workforce Board.

- 1.E**      [16-0666](#)      Authorize the Issuance of a Blanket Purchase Order for the Purchase of Audiovisual Materials for the Sunnyvale Public Library (F16-144)

1) Authorize the issuance of a blanket purchase order in substantially the same form as Attachment 1 to the report in the amount of \$147,000 to Midwest Tape; and  
2) delegate authority to the City Manager to renew the purchase order for two additional one year periods, not to exceed budgeted amounts, provided pricing and service remain acceptable to the City.

- 1.F**      [16-0759](#)      Award of Bid No. PW16-22 for the 2012-13 Sanitary Sewer Main Replacement Phase 3 Project, Make a Finding of California Environmental Quality Act (CEQA) Categorical Exemption and a Finding of Bid Non-responsiveness

Public Hearing opened at 9:52 p.m.

No speakers.

Public Hearing closed at 9:52 p.m.

MOTION: Councilmember Meyering moved that the contingency amount of \$186,000 be denied until Council is provided with oversight reports as to how contingency funds are being used.

The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to 1) Make a finding of CEQA categorical exemption pursuant to CEQA guidelines section 15302(c) as it relates to replacement of existing utility systems involving negligible or no expansion of capacity; 2) award a construction contract, in substantially the same form as Attachment 2 to the report and in the amount of \$1,862,072 to Precision Engineering Inc.; 3) approve a 10% construction contingency in the amount of \$186,207; and 4) make a finding of non responsiveness for the bid received from Bay Pacific Pipelines for failure to acknowledge a City issued addendum.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

- 1.G**      [16-0747](#)      Amendment to a FY 2015/16 Agreement for Traffic Signal Maintenance Services and Approve Budget Modification No. 38 (F17-003)

Authorize the City Manager to execute an amendment to the FY 2015/16 Agreement with Aegis ITS adding \$108,739 and increasing the not to exceed value from \$584,772 to \$693,511, in substantially the same form as Attachment 1 to the report and approve Budget Modification No. 38 for Fiscal Year 2015/16.

- 1.H**      [16-0761](#)      Receive and File the City of Sunnyvale Investment Report - 2nd Quarter 2016

Receive and file the City of Sunnyvale FY 2015/16 Second Quarter 2016 (Period 13) Investment Report (Attachment 1).

- 1.I**      [16-0749](#)      Award of Contract for Design and Construction Support Services for the Maude Avenue Bikeways and Streetscape Project (F16-108) and Approval of Budget Modification No. 5 in the Amount of \$110,000

Public Hearing opened at 9:53 p.m.

No speakers.

Public Hearing closed at 9:53 p.m.

MOTION: Councilmember Meyering moved to deny the contingency amount until such time as Councilmembers are provided with oversight reports as to how contingency amounts are being used.

The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to 1) Award a design contract, in substantially the same form as Attachment 1 to the report in an amount not to exceed \$206,430 to Kimley Horn Associates, Inc.; 2) approve a 10% design contingency in the amount of \$20,643; and 3) Approve Budget Modification No. 5 to appropriate \$110,000

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

- 1.J**      [16-0818](#)      Adopt Ordinance No. 3090-16 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone certain properties located between Torrington Drive, Sesame Drive, Vanderbilt Drive and Hollenbeck Avenue from R-1 (Low Density Residential) Zoning District to R-1/S (Low Density Residential/Single-Story) Zoning District

Adopt Ordinance No. 3090-16.

- 1.K**      [16-0819](#)      Adopt Ordinance No. 3091-16 to Amend Section 19.56.020 of Chapter 19.56 (Alternative Energy Systems) of Title 19 (Zoning) of the Sunnyvale Municipal Code Relating to Impairment of Solar Access by Structures

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to adopt Ordinance No. 3091-16.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

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

- 2**      [16-0754](#)      Informational Report to Council Regarding Twin Pines Fire  
Department of Public Safety Lieutenant Vinicio Mata provided the staff report. City Manager Deanna Santana, Chief of Public Safety Frank Grgurina and Director of Community Development Trudi Ryan provided additional information.

Public Hearing opened at 8:15 p.m.  
No speakers.



Public Hearing closed at 8:15 p.m.

- 3**      [16-0657](#)      Introduce an Ordinance Adding Chapter 18.50 to Title 18 (Subdivisions) of the Sunnyvale Municipal Code to Designate the Director of Public Works to Summarily Vacate Any Public Service Easement by Administrative Resolution of Vacation; Adopt a Resolution to Establish a Fee for Filing the Request for Summary Vacation; and Find CEQA Exemption per Guideline 15061(b)(3).

Director of Public Works Manuel Pineda provided the staff report.

Public Hearing opened at 8:16 p.m.

No speakers.

Public Hearing closed at 8:16 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to introduce an ordinance adding Chapter 18.50 to Title 18 (Subdivisions) of the Sunnyvale Municipal Code to designate the Director of Public Works Authority to Summarily Vacate Any Public Service Easement by Administrative Resolution of Vacation; Adopt a Resolution to Establish a Fee for Filing the Request for Summary Vacation; and find a CEQA exemption pursuant to CEQA Guidelines Section 15061(b)(3).

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

- 4**      [16-0662](#)      Introduce an Ordinance to Amend Sunnyvale Municipal Code Title 12 Chapter 12.24 (Water & Sewers), Adopt a Resolution to Amend the Fee Schedule to Include Penalties for Water Theft and Unreported Water Consumption from Hydrant Water Meters, and Find that the Actions are Exempt from CEQA

Director of Environmental Services John Stufflebean provided the staff report.  
Director of Finance Tim Kirby and City Attorney John Nagel provided additional

information.

Public Hearing opened at 8:30 p.m.

No speakers.

Public Hearing closed at 8:30 p.m.

MOTION: Councilmember Griffith moved and Vice Mayor Larsson seconded the motion to approve Alternative 1: Introduce an Ordinance to Amend Sunnyvale Municipal Code Title 12 Chapter 12.24 (Water & Sewers), Adopt a Resolution to Amend the Fee Schedule to Include Penalties for Water Theft and Unreported Water Consumption from Hydrant Water Meters, and Find that the Actions are Exempt from CEQA.

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

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

**No:** 0

- 5**      [16-0663](#)      Adopt a Resolution to Certify the Programmatic Environmental Impact Report, Make the Findings Required by CEQA, Adopt a Statement of Overriding Considerations and Mitigation Monitoring Program, and Adopt the Water Pollution Control Plant Master Plan for the Sunnyvale Clean Water Program

Assistant Director of Public Works Craig Mobeck and Water Pollution Control Plant Division Manager Bhavani Yerrapotu provided the staff report. Director of Environmental Services John Stufflebean and Jill Hamilton, Consultant, ESA and Associates, provided additional information.

Public Hearing opened at 9:02 p.m.

No speakers.

Public Hearing closed at 9:02 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Alternative 1: Adopt the Resolution to Make the Findings Required by CEQA, Adopt a Statement of Overriding Considerations and Mitigation

Monitoring and Reporting Program, and Certify the Programmatic Environmental Impact Report for the Water Pollution Control Plant Master Plan for the Sunnyvale Clean Water Program, and adopt the Master Plan (Attachment 1 to the report).

The motion carried by the following vote:

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

**No:** 0

- 6      [16-0828](#)      Amend the Salary Resolution for Various Benefits and Language Clarifications for Consistency Among Various Employee Groups

Director of Human Resources Teri Silva provided the staff report. City Manager Santana provided additional information.

Public Hearing opened at 9:18 p.m.

No speakers.

Public Hearing closed at 9:18 p.m.

MOTION: Councilmember Davis moved and Councilmember Griffith seconded the motion to approve Alternative 1: Adopt the Resolution to amend the Salary Resolution for Various Benefits and Language Clarifications for Consistency Among Various Employee Groups.

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

- 7      [16-0786](#)      Approve Memorandum of Understanding between the City of Sunnyvale and the Public Safety Officers Association 2015-2020 and Resolution to Amend the City's Salary Resolution and the Schedule of Pay to Increase Salaries for

Pay Plan Category C (Classified Public Safety Officers and Lieutenants) and Pay Plan Category D/E (Public Safety Captains and Public Safety Deputy Chiefs)

Director of Human Resources Teri Silva provided the staff report and stated an update to Attachment 5, the salary table, has been provided to Council on the dais. City Manager Santana and Director of Finance Tim Kirby provided additional information.

Public Hearing opened at 9:42 p.m.

Maria Pan spoke in opposition to salary increases for police officers.

Public Hearing closed at 9:46 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve Alternative 1: Authorize the City Manager to Execute the Memorandum of Understanding between the City of Sunnyvale and the Public Safety Officers Association, and adopt the Resolution amending the City's Salary Resolution and the Schedule of Pay to Increase Salaries for Pay Plan Category C (PSOA Classified Public Safety Officers and Lieutenants) and Category D/E (PSMA Public Safety Captains and Public Safety Deputy Chiefs).

The motion carried by the following vote:

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

**No:** 1 - Councilmember Meyering

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

Councilmember Davis reported his attendance at a meeting of the VTA Policy Advisory Committee.

**NON-AGENDA ITEMS & COMMENTS**

**-Council**

None.

**-City Manager**

None.

**INFORMATION ONLY REPORTS/ITEMS**

- [16-0071](#) Tentative Council Meeting Agenda Calendar
- [16-0620](#) Information/Action Items
- [16-0119](#) Boards and Commissions Semi-Annual Attendance Report,  
January - June 2016 (Information Only)
- [16-0594](#) Notice of Public Works Director's Decision on Final Maps  
(Information Only)
- [16-0396](#) Board/Commission Meeting Minutes

**ADJOURNMENT**

Mayor Hendricks adjourned the meeting at 9:54 p.m.