City of Sunnyvale

Meeting Minutes - Final

City Council

Tuesday, May 9, 2017 | **6:00 PM** | **Council Chambers, City Hall, 456 W. Olive Ave., Sunnyvale, CA 94086**

Special Meeting- 6 PM | Regular Meeting- 7 PM

6 P.M. SPECIAL COUNCIL MEETING

1 Call to Order in the Council Chambers

Mayor Hendricks called the meeting to order at 6 p.m.

2 Roll Call

Present: 6 - Mayor Glenn Hendricks
Vice Mayor Gustav Larsson
Councilmember Jim Griffith
Councilmember Larry Klein
Councilmember Russ Melton
Councilmember Michael S. Goldman

Absent: 1 - Councilmember Nancy Smith

Mayor Hendricks stated Councilmember Smith's absence is excused.

3 Special Orders of the Day

17-0128 SPECIAL ORDER OF THE DAY - Department of Public Safety Special Awards

Mayor Hendricks and Chief of Public Safety Phan Ngo presented the Department of Public Safety Special Awards.

17-0347 SPECIAL ORDER OF THE DAY - Teen Self Esteem Awareness Month

Mayor Hendricks presented a proclamation in recognition of National Teen Self Esteem Month to Community Services Manager Michael Muse, Teen Advisory Committee President Ting Chang and Teen Advisory Committee Vice President Susie Warner.

17-0474 SPECIAL ORDER OF THE DAY - Municipal Clerks Week

Mayor Hendricks presented a proclamation in recognition of Municipal Clerks Week to City Clerk Kathleen Franco Simmons and Deputy City Clerk Lisa Natusch.

5 Adjourn Special Meeting

Mayor Hendricks adjourned the meeting at 6:45 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 Larry Klein
Councilmember Russ Melton
Councilmember Michael S. Goldman

Absent: 1 - Councilmember Nancy Smith

Mayor Hendricks stated Councilmember Smith's absence is excused.

CLOSED SESSION REPORT

Vice Mayor Larsson reported the Council met in Closed Session on May 17, 2016; in that Closed Session, the City Council granted the City Attorney settlement authority in the matter of Gorla, et al. v. City of Sunnyvale and on June 7, 2016, the various plaintiffs in the litigation signed a settlement agreement and release, in which the City agreed to settle the matter for the payment of $550,000 and the plaintiffs agreed to dismiss their lawsuit with prejudice. The litigation involved a fatal accident occurring on November 18, 2002 on East Duane Avenue.

Vice Mayor Larsson reported the Council met in Closed Session on May 2, 2017 pursuant to California Government Code Section 54957.6: Conference with Labor Negotiators regarding the Sunnyvale Employees Association (SEA), the Service Employees International Union, Local 521 (SEIU) and Unrepresented Employees;

nothing to report.

Vice Mayor Larsson reported the Council met in Closed Session on May 4. 2017 pursuant to California Government Code Section 54957.6: Conference with Labor Negotiators regarding Sunnyvale Employees Association (SEA) and Unrepresented Employees; nothing to report.

ORAL COMMUNICATIONS

Chris Fallon spoke regarding rising space rent in Plaza Del Rey Mobile Home Park and requested the passage of an ordinance for rent control for mobile home parks.

CONSENT CALENDAR

MOTION: Vice Mayor Larsson moved and Councilmember Klein seconded the motion to approve the Consent Calendar.

The motion carried by the following vote:

Yes: 6 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Klein
Councilmember Melton
Councilmember Goldman

No: 0

Absent: 1 - Councilmember Smith

1.A 17-0383 Approve City Council Meeting Minutes of April 11, 2017

Approve the City Council Meeting Minutes of April 11, 2017 as submitted.

1.B 17-0419 Approve City Council Special Meeting Minutes of April 18, 2017

Approve the City Council Special Meeting Minutes of April 18, 2017 as submitted.

1.C 17-0175 Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Approve the list(s) of claims and bills.

1.D 17-0413 Award of Contract for Design and Construction Support Services for The Mary-Carson Water Tank No. 2 Interior Refurbishment Project (F17-110)

1) Award a contract, in substantially the same form as Attachment 1 to the report, and in an amount not-to-exceed $92,392, to V&A Consulting Engineers, and authorize the City Manager to execute the contract when all the necessary conditions have been met; 2) Approve a 10% design contingency in the amount of $9,239.

1.E 17-0392 Authorize the City Manager to Execute an Agreement for Professional Real Estate Broker Services Related to the Sale of Onizuka Parcels at 1050 & 1060 Innovation Way (F17-099) and Approve Budget Modification No. 43

Authorize the City Manager to execute an Agreement with Cushman & Wakefield for an amount not to exceed $120,000 to perform professional real estate broker services related to the sale of 1050 & 1060 Innovation Way (Onizuka) and Approve Budget Modification No. 43 in the amount of $120,000.

1.F 17-0389 Approve Budget Modification No. 40 in the amount of $108,329 to Appropriate Funding from Fund 285 (Transportation Development Act) to Fund 385 (Capital Projects)

Approve Budget Modification No. 40 in the amount of $108,329 to appropriate funding from the Transportation Development Act Fund to the Capital Project Fund.

1.G 17-0397 Award of Contract for Storm Drain Trash Capture Devices (F17-119)

1) Award an installation contract, in substantially the same format as Attachment 1 to the report in an amount of $182,810 to Storm Water Inspection & Maintenance Services Inc., dba Storm Tek, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 2) approve a 10% contract contingency in the amount of $18,281.

1.H 17-0438 Approve 2017 Board and Commission Master Work Plans

Approve the 2017 master work plans as submitted.

1.I 17-0517 Adopt Ordinance No. 3114-17 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone 29 Contiguous Properties Located on Firebird Way, Flamingo Way, and Dunholme Way from R-0 (Low Density Residential) Zoning District to R-0/S (Low Density Residential/Single-Story) Zoning District

Adopt Ordinance No. 3114-17.

1.J 17-0519 Adopt Ordinance No. 3115-17 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone Certain Properties located at 669 & 673 Old San Francisco Road from R-0 (Low Density Residential) Zoning District to R-3/PD (Medium Density Residential/Planned Development) Zoning District

Adopt Ordinance No. 3115-17.

PUBLIC HEARINGS/GENERAL BUSINESS

2 17-0487 Consider Draft 2017 Housing and Urban Development (HUD) Action Plan

Director of Community Development Trudi Ryan provided the staff report and recommended that Council provide the flexibility that if the dollar amount allocated by the Federal government for CDBG and HOME funds for the HUD Action Plan is less than last year, to proportionately reduce the amounts to all of those funded, or if the amount is higher, that Council allocate the additional funding to the sidewalk project along Persian Drive. Housing Officer Suzanne Ise' provided additional information.

Public Hearing opened at 7:13 p.m.

Jean Jiang, Staff Attorney, Project Sentinel, provided information regarding the fair housing services provided by the agency.

Pilar Furlong, Chief Community Resources Officer, Bill Wilson Center, provided information regarding the counseling program services provided by the agency.

Chris Richardson, Chief Program Officer, Downtown Streets Team, provided information regarding the homelessness services provided by the agency.

Amanda Olson, Downtown Streets Team, spoke regarding the homeless outreach and community engagement program.

Dan Schmid, Life Moves, provided information regarding the family shelter services provided by the program.

Marie Bernard, Sunnyvale Community Services, provided information regarding the services provided by the agency.

Public Hearing closed at 7:27 p.m.

MOTION: Councilmember Klein moved and Vice Mayor Larsson seconded the motion to approve Alternative 1: Approve the 2017 Action Plan as shown in Attachment 2 to the report.

The motion carried by the following vote:

Yes: 6 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Klein
Councilmember Melton
Councilmember Goldman

No: 0

Absent: 1 - Councilmember Smith

3 17-0221 Adopt a Mitigated Negative Declaration and a Mitigation Monitoring Reporting Program for Animal Assisted Happiness at Baylands Park, Approve the Conceptual Plan and Authorize the City Manager to Execute a Sublease Agreement between the City and Animal Assisted Happiness (AAH)

Assistant Director of Public Works Craig Mobeck provided the staff report. Superintendent of Community Services Dan Wax and Director of Public Works Manuel Pineda provided additional information.

Public Hearing opened at 7:54 p.m.

Lizzy Eckstroun, volunteer, Animal Assisted Happiness, spoke in support of the proposal.

Vicki Amon-Higa, co-founder of Animal Assisted Happiness, provided information regarding their visits and events and requested consideration of waiving the park fee when special needs clients visit.

Public Hearing closed at 8:02 p.m.

MOTION: Councilmember Klein moved and Vice Mayor Larsson seconded the motion to approve Alternative 1: Make the findings required by the California Environmental Quality Act in Attachment 12 to the Report, Adopt a Mitigated Negative Declaration and a Mitigation Monitoring Reporting Program for Animal Assisted Happiness at Baylands Park, approve the conceptual plans and authorize

the City Manager to execute a sublease Agreement between the City and Animal Assisted Happiness; with the addition of staff looking at a higher quality fence and possible security on all four sides of the land used by Animal Assisted Happiness, subject to approval by the Director of Public Works.

The motion carried by the following vote:

Yes: 6 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Klein
Councilmember Melton
Councilmember Goldman

No: 0

Absent: 1 - Councilmember Smith

4 17-0343 Introduce an Ordinance to Award a Non-Exclusive Taxicab Franchise to Yellow Checker Cab Co., Inc. DBA Checker Cab and Rainbow Cab

Management Analyst Elaine Ketell provided the staff report.

Public Hearing opened at 8:09 p.m.
No speakers.
Public Hearing closed at 8:09 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Melton seconded the motion to approve Alternative 1: Introduce an Ordinance to Award a Non-exclusive Taxicab Franchise to Yellow Checker Cab Co., Inc. DBA Checker Cab and Rainbow Cab, and authorize the City Manager to execute the franchise agreement.

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 Klein
Councilmember Melton
Councilmember Goldman

No: 0

Absent: 1 - Councilmember Smith

5 17-0345 Introduce an Ordinance to Award a Non-Exclusive Taxicab Franchise to A Orange Cab, Inc., DBA Orange Cab

Management Analyst Elaine Ketell provided the staff report.

Public Hearing opened at 8:11 p.m.
No speakers.
Public Hearing closed at 8:11 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Melton seconded the motion to approve Alternative 1: Introduce an Ordinance to Award a Non-exclusive Taxicab Franchise to A Orange Cab Co., Inc. DBA Orange Cab and authorize the City Manager to execute the franchise agreement.

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 Klein
Councilmember Melton
Councilmember Goldman

No: 0

Absent: 1 - Councilmember Smith

6 16-0871 Approve a Program for Paid Parking in Downtown Caltrain Commuter Lots

Management Analyst Elaine Ketell provided the staff report. Director of Public Works Pineda provided additional information.

Public Hearing opened at 8:15 p.m.

Zachary Kaufman provided comments regarding the 2012 consultant report.

Public Hearing closed at 8:16 p.m.

MOTION: Councilmember Melton moved and Councilmember Klein seconded the motion to approve Alternative 1: Approve a Program for Paid Parking in Downtown

Caltrain Commuter Lots.

The motion carried by the following vote:

Yes: 6 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Klein
Councilmember Melton
Councilmember Goldman

No: 0

Absent: 1 - Councilmember Smith

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Mayor Hendricks reported the Valley Transportation Authority Board adopted the framework for the Next Network.

NON-AGENDA ITEMS & COMMENTS

-Council

None.

-City Manager

Assistant City Manager Walter Rossmann reminded Council of key dates in the budget process.

INFORMATION ONLY REPORTS/ITEMS

17-0071	Tentative Council Meeting Agenda Calendar
17-0359	Information/Action Items
17-0228	Study Session Summary of April 25, 2017 - Review Performance Evaluation Tools for the City Manager and City Attorney
17-0405	Board/Commission Meeting Minutes

ADJOURNMENT

Mayor Hendricks adjourned the meeting at 8:34 p.m.