



City of Sunnyvale

Meeting Minutes - Final City Council

Tuesday, May 23, 2017

5:00 PM

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

Special Meeting: Closed Session- 5 PM | Special Meeting- 6 PM | Regular Meeting- 7 PM

5 P.M. SPECIAL COUNCIL MEETING (Closed Session)

Vice Mayor Larsson announced the items for Closed Session and invited any members of the public to provide public comments before convening to Closed Session.

1 Call to Order in the West Conference Room

Vice Mayor Larsson called the meeting to order at 5:01 p.m.

2 Roll Call

Present: 7 - Mayor Glenn Hendricks
Vice Mayor Gustav Larsson
Councilmember Jim Griffith
Councilmember Larry Klein
Councilmember Nancy Smith
Councilmember Russ Melton
Councilmember Michael S. Goldman

Councilmember Klein arrived at 5:02 pm.

3 Public Comment

No speakers.

4 Convene to Closed Session

[17-0534](#)

Closed Session held pursuant to California Government Code
Section 54957.6: CONFERENCE WITH LABOR
NEGOTIATORS
Agency designated representatives: Deanna Santana, City
Manager; Teri Silva, Director of Human Resources
Employee organization: Communication Officers Association

(COA)

Employee organization: Public Safety Officers Association
(PSOA)

5 Adjourn Special Meeting

Vice Mayor Larsson adjourned the meeting at 5:40 p.m.

6 P.M. SPECIAL COUNCIL MEETING

1 Call to Order in the Council Chambers

Mayor Hendricks called the meeting to order.

2 Roll Call

Present: 7 - Mayor Glenn Hendricks
Vice Mayor Gustav Larsson
Councilmember Jim Griffith
Councilmember Larry Klein
Councilmember Nancy Smith
Councilmember Russ Melton
Councilmember Michael S. Goldman

3 Special Orders of the Day

[17-0246](#) SPECIAL ORDER OF THE DAY - 2017 Earth Day Video and
Poster Contest Winners

Mayor Hendricks recognized the 2017 Earth Day Video and Poster Contest
Winners.

[17-0427](#) SPECIAL ORDER OF THE DAY - Recognition of Green
Businesses

Mayor Hendricks and Environmental Programs Manager Karen Gissibl recognized
green businesses in Sunnyvale.

[17-0448](#) SPECIAL ORDER OF THE DAY - National Public Works
Week

Mayor Hendricks presented a proclamation to Director of Public Works Manuel
Pineda in recognition of National Public Works Week.

4 Adjourn Special Meeting

Mayor Hendricks adjourned the meeting at 6:25 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: 7 - Mayor Glenn Hendricks
Vice Mayor Gustav Larsson
Councilmember Jim Griffith
Councilmember Larry Klein
Councilmember Nancy Smith
Councilmember Russ Melton
Councilmember Michael S. Goldman

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; Employee organizations: Communication Officers Association (COA) and Public Safety Officers Association (PSOA); nothing to report.

ORAL COMMUNICATIONS

Zachary Kaufman spoke regarding parking fees at the Caltrain station and public transportation.

CONSENT CALENDAR

Mayor Hendricks reported staff has requested to continue Item 1.H to a date certain, June 6, 2017, and stated a member of the public requested to pull Item 1.G.

MOTION: Vice Mayor Larsson moved and Councilmember Klein seconded the motion to approve Consent Calendar Items 1.A through 1.F and 1.I through 1.P, and to continue Item 1.H to June 6, 2017.

The motion carried by the following vote:

Yes: 7 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Klein
Councilmember Smith
Councilmember Melton
Councilmember Goldman

No: 0

1.A [17-0234](#) Approve City Council Meeting Minutes of April 25, 2017
Approve the City Council Meeting Minutes of April 25, 2017 as submitted.

1.B [17-0308](#) Approve City Council Special Meeting Minutes of May 2, 2017
Approve the City Council Special Meeting Minutes of May 2, 2017 as submitted.

1.C [17-0346](#) Approve City Council Special Meeting Minutes of May 4, 2017
Approve City Council Special Meeting Minutes of May 4, 2017 as submitted.

1.D [17-0114](#) Approve City Council Meeting Minutes of May 9, 2017
Approve the City Council Meeting Minutes of May 9, 2017 as submitted.

1.E [17-0177](#) Approve the List(s) of Claims and Bills Approved for Payment
by the City Manager
Approve the list(s) of claims and bills.

1.F [17-0358](#) Authorize the Modification of an Existing Purchase Order for
Computer Hardware (F17-108)

Make a finding of exemption from the California Environmental Quality Act (CEQA)
pursuant to CEQA Guidelines Section 15378(a); authorize the City Manager to
amend the exiting purchase order with Dell Computer for computer equipment to
increase the not-to-exceed amount from \$450,000 to \$800,000.

1.G [17-0363](#) Adopt a Resolution to Authorize the Filing of Fiscal Year
2017/18 Transportation Development Act (TDA) Article 3
Application for the Mary Avenue Bicycle Lanes Project Phase
2

Public hearing opened at 7:06 p.m.

John Cordes, Bicycle and Pedestrian Advisory Commission Chair, provided the recommendation of the commission and the rationale for their disagreement with the staff recommendation.

Kevin Jackson spoke in support of the Bicycle and Pedestrian Advisory Commission recommendation.

Public hearing closed at 7:12 p.m.

Director of Public Works Manuel Pineda provided information and responded to Council questions.

Public hearing re-opened at 7:18 p.m.

Dave Simons, representative of Sunnyvale to the Valley Transportation Authority Bicycle and Pedestrian Advisory Committee speaking for himself, provided information regarding the VTA Bicycle and Pedestrian Advisory Committee discussion and information regarding transportation funding.

Public hearing closed at 7:22 p.m.

MOTION: Councilmember Griffith moved and Vice Mayor Larsson seconded the motion to adopt a resolution authorizing the filing of Fiscal Year 2017/18 Transportation Development Act Article 3 application requesting MTC for an allocation of \$131,140 for FY 2017/18 to be used for the construction of the Mary Avenue Bicycle Lanes Project Phase 2 from Evelyn Avenue to Maude Avenue.

The motion carried by the following vote:

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

No: 1 - Councilmember Smith

1.H [17-0508](#) Approval of One-Stop Operator for NOVA Local Workforce Development Area

This item was continued to June 6, 2017.

1.I [17-0408](#) Award of Bid No. PW17-18 for the Pavement Rehabilitation

2016 Project Re-Bid, Determination of Bid
Non-responsiveness, and Finding of California Environmental
Quality Act (CEQA) Categorical Exemption

1) Make a finding of a California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines Section 15301 for the restoration or rehabilitation of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails; 2) Award a contract in substantially the same form as Attachment 2 to the report and in the amount of \$2,225,955 to Interstate Grading & Paving Inc., and authorize the City Manager to execute the contract when all necessary conditions have been met; 3) approve a 10% construction contingency in the amount of \$225,596, and 4) make a determination that the bid received from G. Bortolotto & Co. is non-responsive.

1.J [17-0451](#) Award Contract for Design and Construction Support Services for the Traffic Signal Hardware and Wiring 2017 Project at Hendy and Sunnyvale Avenues (F17-079)

1) Award a design contract, in substantially the same format as Attachment 1 to the report in an amount not-to-exceed \$115,347 to TJKM Transportation Consultants 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 \$11,535.

1.K [17-0479](#) Award of Bid No. PW17-17 for Mary Avenue Bicycle Lanes Project Phase 2 and Approve Budget Modification No. 47

1) Award a construction contract, in substantially the same form as Attachment 2 to the report and in the amount of \$804,546 to Redgwick Construction Company and authorize the City Manager to execute the contract when all necessary conditions have been met; 2) Approve a 10% construction contingency in the amount of \$80,455; and 3) Approve Budget Modification No. 47 to provide additional project funding.

1.L [17-0550](#) Approve Memorandum of Understanding between the City of Sunnyvale and the Sunnyvale Employees Association 2015-2019 and the Retirement Memorandum of Understanding 2017 - 2027, and Adopt a Resolution Amending the City's Salary Resolution and the Schedule of Pay to Increase Salaries for Pay Plan Category B (Sunnyvale Employees Association) and Adopt a Resolution Authorizing the City Manager to Exceed Appropriations for the FY 2016/17 Adopted Budget for governmental and agency funds.

Approve and Authorize the City Manager to Execute the Memorandum of

Understanding between the City of Sunnyvale and the Sunnyvale Employees Association 2015 - 2019 and the Retirement Memorandum of Understanding 2017 - 2027, Adopt the Resolution amending the City's Salary Resolution and the Schedule of Pay to Increase Salaries for Pay Plan Category B (Sunnyvale Employees Association), and Adopt a Resolution Authorizing the City Manager to Exceed Appropriations in the FY 2016/17 Adopted Budget for governmental and agency funds as long as sufficient monies are available within the fund.

- 1.M** [17-0555](#) Approve Memorandum of Understanding between the City of Sunnyvale and the Service Employees International Union Local 521 2017-2021 and Adopt Resolution to Amend the Schedule of Pay in the City's Salary Resolution to Increase Salaries for Pay Plan Category L (Classified Regular Part-Time Employees)

Approve and Authorize the City Manager to Execute the Memorandum of Understanding between the City of Sunnyvale and the Service Employees International Union Local 521 2017-2021, and adopt the Resolution amending the Schedule of Pay in the City's Salary Resolution to Increase Salaries for Pay Plan Category L (Classified Regular Part-Time Employees).

- 1.N** [17-0559](#) Amend the Salary Resolution to Update the Schedule of Pay to Provide Salary Increases for Pay Plan Category G (Unrepresented Classified Confidential Employees) and Align Pay Plan Category G (Unrepresented Classified Confidential Employees) with Pay Plan Category B (Sunnyvale Employees Association) With Respect to Wages

Adopt the Resolution to Amend the Salary Resolution to Update the Schedule of Pay to Provide Salary Increases for Pay Plan Category G (Unrepresented Classified Confidential Employees) and Align Pay Plan Category G (Unrepresented Classified Confidential Employees) with Pay Plan Category B (Sunnyvale Employees Association) With Respect to Wages.

- 1.O** [17-0558](#) Adopt Ordinance No. 3116-17 Awarding Nonexclusive Franchise to Yellow Checker Cab Company, Inc., dba Checker Cab of Silicon Valley and dba Rainbow Cab

Adopt Ordinance No. 3116-17.

- 1.P** [17-0556](#) Adopt Ordinance No. 3117-17 Awarding Nonexclusive Franchise for Taxicab Service to A Orange Cab, Inc., dba Orange Cab

Adopt Ordinance No. 3117-17.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2 [17-0501](#) REQUEST FOR CONTINUANCE TO JULY 25, 2017
Proposed Project: Related applications on a 2.1-acre site:
REZONE: Introduction of an Ordinance to rezone the property
at 1314-1320 Poplar Ave. from R-1/ECR (Low Density
Residential/Precise Plan for El Camino Real) to C-2/ECR
(Highway Business Commercial/Precise Plan for El Camino
Real); and
SPECIAL DEVELOPMENT PERMIT: Redevelop a former
mobile home park (Conversion Impact Report certified and
closure approved in January 2016) and existing duplex
property into a 108-unit apartment complex, where 20% of
units will be affordable to very low income households. The
complex will consist of one five-story building (four stories
above amenities and parking on the ground floor plus one
level of parking underground) facing El Camino Real and one
three-story building facing Poplar Ave.
Location: 1008 E. El Camino Real (APN 313-03-011) and
1314-1320 Poplar Ave. (APN 313-03-013)
File #: 2016-7293
Applicant / Owner: St. Anton Communities / Sunnyvale Park
LLC; Alhambra Apartments LP
Environmental Review: Mitigated Negative Declaration

Public Hearing opened at 7:36 p.m.

No speakers.

Public Hearing closed at 7:36 p.m.

MOTION: Councilmember Smith moved and Councilmember Klein seconded the motion to continue the public hearing to the July 25, 2017 City Council meeting.

The motion carried by the following vote:

Yes: 7 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Klein
Councilmember Smith
Councilmember Melton
Councilmember Goldman

No: 0

- 3** [17-0107](#) Appoint Applicants to the Arts Commission, Bicycle and Pedestrian Advisory Commission, Board of Building Code Appeals, Board of Library Trustees, Heritage Preservation Commission, Housing and Human Services Commission, Parks and Recreation Commission, Personnel Board, Planning Commission and Sustainability Commission

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

BICYCLE AND PEDESTRIAN ADVISORY COMMISSION – Category Two (1 term to 6/30/2020)

Catherine Barry (Category One or Category Two - only preference)

VOTE: 4 - 0 - 3 (Affirmative votes by Hendricks, Griffith, Smith, Goldman; Absentions by Melton, Klein, Larsson)

Susan Bremond (Category One or Category Two - only preference)

VOTE: 4 - 0 - 3 (Affirmative votes by Melton, Klein, Larsson, Hendricks; Absentions by Griffith, Smith, Goldman)

City Clerk Franco Simmons reported a tie vote for Bicycle and Pedestrian Advisory Commission - Category Two.

MOTION: Councilmember Griffith moved and Mayor Hendricks seconded the motion to appoint Catherine Barry to the Bicycle and Pedestrian Advisory Commission - Category Two.

The motion carried by the following vote:

Yes: 4 - Mayor Hendricks
 Councilmember Griffith
 Councilmember Klein
 Councilmember Smith

No: 0

Abstain: 3 - Vice Mayor Larsson
 Councilmember Melton
 Councilmember Goldman

Catherine Barry was appointed to the Bicycle and Pedestrian Commission – Category Two to serve a term expiring 6/30/2020.

BOARD OF BUILDING CODE APPEALS (1 term to 6/30/2021 - may serve concurrently on one additional board or commission)

Daryoush Nafar (1st preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

Yonghong Shen (only preference)

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

Yonghong Shen was appointed to the Board of Building Code Appeals to serve a term expiring 6/30/2021.

BOARD OF LIBRARY TRUSTEES (1 term to 6/30/2021)

Sekari Vaidyanathan (only preference)

VOTE: 3 - 0 - 4 (Affirmative votes by Melton, Klein, Goldman; Abstentions by Larsson, Hendricks, Griffith, Smith)

The Board of Library Trustees will have one continuing vacancy.

HERITAGE PRESERVATION COMMISSION (1 term to 6/30/2021)

Dixie Larsen (only preference)

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

Dixie Larsen was appointed to the Heritage Preservation Commission to serve a term expiring 6/30/2021.

PARKS AND RECREATION COMMISSION (2 terms to 6/30/2021)

Ralph Kenton (only preference)

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

Daniel McCune (only preference)

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

Howard Woo (1st preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

Ralph Kenton and Daniel McCune were appointed to the Parks and Recreation

Commission to serve terms expiring 6/30/2021.

PERSONNEL BOARD (Employee-Nominated Seat, 1 term to 6/30/2020; Council Nominated Seat, 1 term to 6/30/2021)

Justin Brown (1st preference)

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

Sridharan Srinivasan (2nd preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

MOTION: Councilmember Griffith moved and Councilmember Melton seconded the motion to appoint Justin Brown to serve in the Council Nominated Seat for a term expiring 6/30/2021.

The motion carried by the following vote:

Yes: 7 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Klein
Councilmember Smith
Councilmember Melton
Councilmember Goldman

No: 0

The Personnel Board will have one continuing vacancy in the Employee-Nominated Seat.

PLANNING COMMISSION (1 term to 6/30/2021)

Scott Brizzolara (only preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

Sartaj Chancal (only preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

Mason Fong (1st preference)

VOTE: 1 - 0 - 6 (Affirmative vote by Goldman; Abstentions by Melton, Klein, Larsson, Hendricks, Griffith, Smith)

Daryoush Nafar (2nd preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

Ken Olevson (only preference)

VOTE: 6 - 0 - 1 (Affirmative votes by Melton, Klein, Larsson, Hendricks, Griffith, Smith; Abstention by Goldman)

Neela Shukla (only preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

Murali Srinivasan (only preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

Ken Olevson was appointed to the Planning Commission to serve a term expiring 6/30/2021.

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

BICYCLE AND PEDESTRIAN ADVISORY COMMISSION (Category One, 2 terms to 6/30/2021)

Bettina Baumgartner (only preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

Susan Bremond (Category One or Category Two - only preference)

VOTE: 5 - 0 - 2 (Affirmative votes by Melton, Larsson, Hendricks, Smith, Goldman; Abstentions by Klein, Griffith)

Richard Condon (only preference)

VOTE: 2 - 0 - 5 (Affirmative votes by Melton, Griffith; Abstentions by Klein, Larsson, Hendricks, Smith, Goldman)

Sridharan Srinivasan (Category One - 1st preference)

VOTE: 1 - 0 - 6 (Affirmative vote by Goldman; Abstentions by Melton, Klein, Larsson, Hendricks, Griffith, Smith)

Scott Swail (only preference)

VOTE: 4 - 0 - 3 (Affirmative votes by Melton, Klein, Larsson, Griffith; Abstentions by Hendricks, Smith, Goldman)

Susan Bremond and Scott Swail were appointed to the Bicycle and Pedestrian Advisory Commission - Category One to serve terms expiring 6/30/2021.

HOUSING AND HUMAN SERVICES COMMISSION (3 terms to 6/30/2021)

Rhonda Bekkedahl (only preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

Mason Fong (2nd preference)

VOTE: 2 - 0 - 5 (Affirmative votes by Klein, Smith; Abstentions by Melton, Larsson, Hendricks, Griffith, Goldman)

Diana Gilbert (only preference)

VOTE: 6 - 0 - 1 (Affirmative votes by Melton, Klein, Larsson, Hendricks, Griffith, Goldman; Abstention by Smith)

Ken Hiremath (only preference)

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

Minjung Kwok (only preference)

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

Malahat Owrang (2nd preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

Amanda Richey (1st preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

Diana Gilbert, Ken Hiremath and Minjung Kwok were appointed to the Housing and Human Services Commission to serve terms expiring 6/30/2021.

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

ARTS COMMISSION (2 terms to 6/30/2021)

Dawna Eskridge (only preference)

VOTE: 6 - 0 - 1 (Affirmative votes by Melton, Klein, Larsson, Hendricks, Griffith, Smith; Abstention by Goldman)

Darien Laird (only preference)

VOTE: 6 - 0 - 1 (Affirmative votes by Melton, Klein, Hendricks, Griffith, Smith, Goldman; Abstention by Larsson)

Amanda Richey (2nd preference)

VOTE: 4 - 0 - 3 (Affirmative votes by Melton, Klein, Larsson, Goldman; Abstentions by Hendricks, Griffith, Smith, Goldman)

Dawna Eskridge and Darien Laird were appointed to the Arts Commission to serve terms expiring 6/30/2021.

SUSTAINABILITY COMMISSION (2 terms to 6/30/2021 - a minimum of one seat must be in Category Two)

Laura Alvarez-Santos (Category One - only preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

Mason Fong (Category One - 3rd preference)

VOTE: 2 - 0 - 5 (Affirmative votes by Klein, Goldman; Abstentions by Melton, Larsson, Hendricks, Griffith, Smith)

Adriana Imbre (Category Two - only preference)

VOTE: 1 - 0 - 6 (Affirmative vote by Goldman; Abstentions by Melton, Klein, Larsson, Hendricks, Griffith, Smith)

Stephen Joesten (Category Two - only preference)

VOTE: 6 - 0 - 1 (Affirmative votes by Melton, Klein, Larsson, Hendricks, Griffith, Smith; Abstention by Goldman)

Malahat Owrang (Category One - 1st preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

Bruce Paton (Category One - only preference)

VOTE: 6 - 0 - 1 (Affirmative votes by Melton, Larsson, Hendricks, Griffith, Smith, Goldman; Abstention by Klein)

Sheldon Tounzen (Category One - only preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

Howard Woo (Category One - 2nd preference)

VOTE: 0 - 0 - 7 (Abstentions by all Councilmembers)

Bruce Paton was appointed to the Sustainability Commission to serve in Category One and Stephen Joesten was appointed to serve in the Category Two with terms expiring 6/30/2021.

- 4 [17-0298](#) Public Hearing and Adoption of Resolution to Confirm the Annual Report and Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District for Fiscal Year 2017/2018; Public Hearing and Introduction of an Ordinance Amending Chapter 3.60, Entitled Downtown Sunnyvale Business Improvement District, of Title 3 of the Sunnyvale Municipal Code to Convert Portions of BID Zone C to BID Zone B

Economic Development Manager Connie Verceles provided the staff report.

Mike Johnson, Executive Director of the Sunnyvale Downtown Association and Downtown Sunnyvale Business Improvement District, provided information regarding downtown events.

The Public Hearing for Alternative 1 opened at 7:46 p.m.

No speakers.

Public Hearing closed at 7:46 p.m.

Economic Development Manager Verceles reported no protests have been received.

MOTION: Vice Mayor Larsson moved and Councilmember Klein seconded the motion to approve Alternative 1) Adopt the Resolution to Confirm the Annual Report and Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District for Fiscal Year 2017/2018.

The motion carried by the following vote:

Yes: 7 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Klein
Councilmember Smith
Councilmember Melton
Councilmember Goldman

No: 0

The Public Hearing for Alternative 2 opened at 7:49 p.m.

Mike Johnson, Executive Director of the Sunnyvale Downtown Association and Downtown Sunnyvale Business Improvement District, spoke regarding the

Business Improvement District zone changes.

Public Hearing closed at 7:49 p.m.

Economic Development Manager Verceles reported no protests have been received.

MOTION: Vice Mayor Larsson moved and Councilmember Smith seconded the motion to approve Alternative 2) Introduce an Ordinance Amending Chapter 3.60, entitled "Downtown Sunnyvale Business Improvement District," Title 3 of the Sunnyvale Municipal Code to Convert Portions of BID Zone C to BID Zone B.

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

Yes: 7 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Klein
Councilmember Smith
Councilmember Melton
Councilmember Goldman

No: 0

- 5** [17-0370](#) Approve Memorandum of Understanding with Santa Clara Valley Water District for Collaboration on Assessing the Feasibility of Water Reuse Alternatives and Find that the Action is Exempt from CEQA Pursuant to CEQA Guidelines, Section 15262

Water Pollution Control Plant Division Manager Bhavani Yerrapotu provided the staff report. Interim Director of Environmental Services/Assistant City Manager Kent Steffens provided additional information.

Public Hearing opened at 8:17 p.m.

No speakers.

Public Hearing closed at 8:17 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Smith seconded the motion to approve Alternative 1: Authorize the City Manager to execute the Memorandum of Understanding with the Santa Clara Valley Water District in substantially the same form as set forth in Attachment 2, for Collaboration on

Assessing the Feasibility of Water Reuse Alternatives, and find that this action is exempt from CEQA pursuant to Section 15262 of the CEQA Guidelines.

The motion carried by the following vote:

Yes: 7 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Klein
Councilmember Smith
Councilmember Melton
Councilmember Goldman

No: 0

Following consideration of Item 5, City Clerk Kathleen Franco Simmons read the results of Ballot 1 for Item 3, Board and Commission appointments. Council took actions to resolve a tie for Bicycle and Pedestrian Advisory Commission - Category Two and to specify seat and term for the member appointed to the Personnel Board (reported under Item 3).

Council proceeded to vote on Ballot 2 and passed their ballots to the City Clerk to be tallied.

Council recessed at 8:35 p.m.

Council reconvened at 8:46 p.m. with all Councilmembers present.

Following the recess, City Clerk Kathleen Franco Simmons read the results of Ballot 2 for Item 3, Board and Commission appointments.

Council proceeded to vote on Ballot 3 and passed their ballots to the City Clerk to be tallied. City Clerk Kathleen Franco Simmons read the results of Ballot 3.

- 6** [17-0447](#) Award of Bid No. PW16-28 for the Primary Treatment Facility Package 2 for the Reconstruction of the Water Pollution Control Plant, Make a Finding of Bid Non-responsiveness, Amend an Existing Design/Construction Support Contract, Authorize the City Manager to Procure Insurance Coverage, and Approve Budget Modification No. 45 in the amount of \$4,810,137

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

of Public Works Manuel Pineda provided additional information.

Public Hearing opened at 9:18 p.m.

No speakers.

Public Hearing closed at 9:18 p.m.

MOTION: Councilmember Melton moved and Councilmember Klein seconded the motion to Alternatives 1 through 6:

1. Make a finding of non-responsiveness for the bid submitted by Flatiron West Inc.
2. Award a construction contract, in substantially the same form as Attachment 2 and in the amount of \$100,188,000 to C. Overaa & Co., and authorize the City Manager to execute the contract when all necessary conditions have been met.
3. Approve a 7% construction contingency in the amount of \$7,013,160.
4. Authorize the City Manager to execute an amendment to an existing contract with Carollo Engineers, in substantially the same format as Attachment 3, adding \$1,210,137 and increasing the not-to-exceed value from \$12,946,801 to \$14,156,938.
5. Authorize the City Manager to finalize insurance policy documents and make payment in the amount of \$514,684 to Alliant Insurance Services Inc. for Builders Risk, "Acts of God", and Earth Movement and Flood coverages.
6. Approve Budget Modification No. 45 in the amount of \$4,810,137 to provide additional project funding.

The motion carried by the following vote:

Yes: 7 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Klein
Councilmember Smith
Councilmember Melton
Councilmember Goldman

No: 0

- 7 [17-0136](#) Award a Contract for Civic Center Master Planning Services to SmithGroupJJR and Approve Budget Modification No. 46 in the Amount of \$1,350,000 from the General Fund Capital Improvement Projects Reserve

Assistant City Manager Kent Steffens provided the staff report.

Public Hearing opened at 10:26 p.m.

Margaret Lawson spoke in support of an innovative design for the City Hall and Civic Center with net zero energy buildings.

Deborah Marks spoke in support of retaining the existing City Hall building, trees and landscaping for purposes such as an art center.

Mark Roddy, Design Director and Vice President and Todd Kohli, Project Manager, SmithGroupJJR introduced themselves and provided information regarding their projects.

Public Hearing closed at 10:38 p.m.

MOTION: Councilmember Melton moved and Councilmember Griffith seconded the motion to approve Alternatives 1, 2 and 3: 1) Award a contract, in substantially the same a form as Attachment 1 to the report, to SmithGroupJJR in an amount not to exceed \$1,199,322 and authorize the City Manager to execute the contract when all necessary conditions have been met, with a modification to remove the City Hall Annex building renovation option for \$97,293; 2) Approve a contract contingency of 10% in the amount of \$119,932; and 3) Approve Budget Modification No. 46 in the amount of \$1,350,000 to provide funding for the Civic Center Modernization Project.

FRIENDLY AMENDMENT: Councilmember Goldman offered a friendly amendment that the existing City Hall building not be destroyed.

Mayor Hendricks requested the maker of the motion revise the motion to reflect the staff recommendation and then someone make a formal amendment to remove any other items.

Councilmember Melton declined to revise the motion.

FRIENDLY AMENDMENT: Councilmember Goldman offered a friendly amendment to modify the scope to read, "the existing city hall building may either be replaced with a new building... or renovated for community uses."

Councilmember Melton declined to accept the friendly amendment.

FORMAL AMENDMENT: Councilmember Goldman moved to amend the motion to modify the scope to read, "the existing city hall building may either be replaced with a new building... or renovated for community uses."

The motion to amend died due to lack of a second.

FRIENDLY AMENDMENT: Councilmember Griffith offered a friendly amendment to

add in the optional expense of requiring a physical model.
Councilmember Melton accepted the friendly amendment.

FRIENDLY AMENDMENT: Mayor Hendricks offered a friendly amendment to put the City Hall Annex building renovation option back in.
Councilmember Melton declined to accept the friendly amendment.

AMENDMENT: Mayor Hendricks moved to amend the motion and Vice Mayor Larsson seconded to put the City Hall Annex building renovation option back in.

The motion to amend carried by the following vote:

- Yes: 4 -** Mayor Hendricks
Vice Mayor Larsson
Councilmember Klein
Councilmember Goldman
- No: 3 -** Councilmember Griffith
Councilmember Smith
Councilmember Melton

FRIENDLY AMENDMENT: Councilmember Smith offered a friendly amendment to add Arts Commission review of the design.
Councilmember Melton accepted the friendly amendment.

The main motion as amended carried by the following vote:

- Yes: 6 -** Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Klein
Councilmember Smith
Councilmember Melton
- No: 1 -** Councilmember Goldman

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Klein reported his attendance at a meeting of the State Route (SR) 85 Corridor Policy Advisory Board.

NON-AGENDA ITEMS & COMMENTS

-Council

None.

-City Manager

City Manager Deanna Santana reported Closed Sessions have been added on June 6 and June 20 and a Council meeting has been added on August 15.

INFORMATION ONLY REPORTS/ITEMS

- | | |
|--------------------------------|---|
| <u>17-0277</u> | Tentative Council Meeting Agenda Calendar |
| <u>17-0360</u> | Information/Action Items |
| <u>17-0369</u> | Study Session Summary of May 16, 2017 - Board and Commission Interviews |
| <u>17-0539</u> | Study Session Summary of May 17, 2017 - Board and Commission Interviews |

ADJOURNMENT

Mayor Hendricks adjourned the meeting at 11:19 p.m.