



City of Sunnyvale

Meeting Minutes - Final City Council

Tuesday, February 6, 2018

5:45 PM

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

Special Meeting: Closed Session- 5:45 PM | Regular Meeting- 7 PM

5:45 P.M. SPECIAL COUNCIL MEETING (Closed Session)

Vice Mayor Klein 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 Klein called the meeting to order at 5:48 p.m.

2 Roll Call

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

Councilmember Griffith arrived at 5:49 p.m.

3 Public Comment

No speakers.

4 Convene to Closed Session

[18-0008](#)

Closed Session held pursuant to California Government Code
Section 54957 (a): THREAT TO PUBLIC SERVICES OR
FACILITIES

Topic: Council Chambers Security

Consultation with Sunnyvale Department of Public Safety:
Phan Ngo, Director of Public Safety and Captain James

Boone; John Nagel, City Attorney

[18-0097](#)

Closed Session held pursuant to California Government Code
Section 54957.6: CONFERENCE WITH LABOR
NEGOTIATORS

Agency designated representatives: Kent Steffens, City
Manager; Teri Silva, Assistant City Manager
Employee organization: Public Safety Managers Association
(PSMA)

5 Adjourn Special Meeting

Vice Mayor Klein adjourned the meeting at 6:27 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 Larry Klein
Councilmember Jim Griffith
Councilmember Gustav Larsson
Councilmember Nancy Smith
Councilmember Russ Melton
Councilmember Michael S. Goldman

Mayor Hendricks announced the meeting would be closed in honor of the memory of Councilmember Nancy Smith's father, Dale Hirstein.

CLOSED SESSION REPORT

Vice Mayor Klein reported the Council met in Closed Session pursuant to California Government Code Section 54957 (a): Threat to Public Services or Facilities; Topic: Council Chambers Security; Consultation with Sunnyvale Department of Public Safety: Phan Ngo, Director of Public Safety and Captain James Boone; John Nagel, City Attorney; nothing to report.

Vice Mayor Klein reported the Council met in Closed Session held pursuant to California Government Code Section 54957.6: Conference with Labor Negotiators; Agency designated representatives: Kent Steffens, City Manager; Teri Silva, Assistant City Manager; Employee organization: Public Safety Managers Association (PSMA); nothing to report.

ORAL COMMUNICATIONS

Councilmember Larsson announced an upcoming Innovate Climate Action in Sunnyvale workshop and challenge.

Scott Brizzolara spoke regarding the brightness and blueness of the new LED street lamps.

Eric Krock spoke in opposition to SB 827 and SB 828 and requested Council oppose the bills.

William Barry spoke in opposition to SB 827 and SB 828.

Lorraine Nishikawa spoke in opposition to SB 827 and SB 828 and requested Council oppose the bills.

Hans spoke in opposition to SB 827 and SB 828 and requested Council oppose the bills.

Alan Ross, representing Friends of Stevens Creek Trail, provided information regarding an upcoming project regarding an impediment to fish passage by Deep Cliff Golf Course and requested Council support of the ongoing process to improve the creek.

Richard McMurtry spoke regarding fish migration barriers along Stevens Creek, provided written materials, and requested Council place the item on an agenda at a future meeting.

CONSENT CALENDAR

Mayor Hendricks announced Item 1.D would be pulled from the Consent Calendar.

MOTION: Vice Mayor Klein moved and Councilmember Larsson seconded the motion to approve Consent Calendar Items 1.A, 1.B, 1.C, 1.E, 1.F, 1.G and 1.H.

The motion carried by the following vote:

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

No: 0

1.A [18-0065](#) Approve City Council Meeting Minutes of January 23, 2018

Approve the City Council Meeting Minutes of January 23, 2018 as submitted.

1.B [17-1086](#) Approve the List(s) of Claims and Bills Approved for Payment
by the City Manager

Approve the list(s) of claims and bills.

1.C [18-0074](#) Receive and File the City of Sunnyvale Investment Report - 4th
Quarter 2017

Receive and file the City of Sunnyvale FY 2017/18 - Fourth Quarter 2017 (Period 7)
Investment Report.

1.D [17-1166](#) Accept the Addendum to the Water Pollution Control Plant
Master Plan Program EIR, Authorize the City Manager to
Accept Grant Funds, and Execute a Sub-recipient Grant
Agreement and Approve Budget Modification No. 39 to
Appropriate \$380,000 from the San Francisco Bay Water
Quality Improvement Fund Grant for the Caribbean Drive
Green Street Demonstration Project

City Manager Kent Steffens provided a brief report and recommended Council not
approve this tonight but give direction to staff to look at potential bike and safety
enhancements and to bring it back to Council in a couple of months with other
options.

Public Hearing opened at 7:22 p.m.

Kira Od spoke regarding the right to public parking access for recreational uses at

the location.

Kristel Wickham, Sustainability Commission member speaking for herself, urged the Council to defer this item and requested direction to staff to reevaluate the bicycle portion of the project to be sure it is designed with the highest safety standards for bicyclists. Wickham recommended Council consult with the Bicycle and Pedestrian Advisory Commission and with the recommendations of the Silicon Valley Bicycle Coalition.

Shiloh Ballard, Executive Director, Silicon Valley Bicycle Coalition, spoke regarding the importance of safety, clear staff direction to elevate sensitivity to safety, and working with partners.

Tim Oey, Bicycle and Pedestrian Advisory Commission member speaking for himself, spoke in support of bicycle safety and requested deferral of this item.

Kevin Jackson spoke regarding the cyclist fatality on Caribbean Drive, expressed concerns regarding bicycle safety, and requested the Bicycle and Advisory Commission to be given an opportunity to provide input on this and all relevant projects.

Public Hearing closed at 7:32 p.m.

MOTION: Vice Mayor Klein moved and Councilmember Smith seconded the motion to postpone the item as written and to further study safety in this region as staff looks at future grants along Caribbean, and that those improvements include, but are not limited to: cycle tracks, additional spacing, and other measures in order to improve cycling and pedestrian traffic at this intersection.

Councilmember Larsson requested clarification that the motion includes direction to staff to bring back the grant authorization at the appropriate time.

Vice Mayor Klein confirmed this is included in the motion.

The motion carried by the following vote:

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

No: 0

1.E [17-1187](#) Reject Proposals for Emergency Operations Center Site Analysis and Feasibility Study (F18-141)

Reject both proposals received in response to Request for Proposals (RFP) F18-141.

1.F [17-1203](#) Authorize Amending an Existing Contract for the Preliminary Design and Environmental Clearance of the Bernardo Undercrossing Project (F17-075) and Approve a Cost Sharing Agreement with the City of Mountain View and a Service Agreement with the Peninsula Corridor Joint Powers Board Regarding the Project and Approval of Budget Modification No. 38

1) Authorize the City Manager to execute a first amendment, in substantially the same form as Attachment 1 to the report, to increase the not to exceed contract amount for the existing consultant services agreement with WMH Corporation from \$586,577 to \$1,051,721, 2) approve a 8.8% contingency in the amount of \$92,848, 3) authorize the City Manager to execute a Cost Sharing Agreement with the City of Mountain View regarding the Project, 4) authorize the City Manager to execute a Service Agreement with the Peninsula Corridor Joint Powers Board in the amount of \$20,500, and 5) approve a Budget Modification No. 38 in the amount of \$532,158 to fund the contract, recognize revenue from the City of Mountain View, and fund the balance of the Peninsula Corridor Joint Powers Board Service Agreement.

1.G [18-0126](#) Adopt Ordinance No. 3130-18 amending the Precise Zoning Plan, Zoning Districts Map, to Rezone 79 contiguous properties located on Pome Avenue, Pomengranate Court, Pulora Court, Qunice Avenue, Sheraton Avenue, and Hollenbeck Avenue from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)

Adopt Ordinance No. 3130-18.

1.H [18-0135](#) Approve 2018 Board and Commission Work Plans

Approve the 2018 work plans as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS

2 [18-0100](#) Proposed Project: General Plan Amendment Initiation: to consider amendments to the Moffett Park Specific Plan
File #: 2017-7743
Locations: Moffett Park Specific Plan Area
Applicant / Owner: Google, Inc. (applicant) / various owners
Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 (a).

Councilmember Griffith announced the item involves a competitor to his employer, recused himself and left the room.

Councilmember Melton, Councilmember Goldman, Vice Mayor Klein, Councilmember Larsson, Councilmember Smith and Mayor Hendricks each disclosed they met individually with representatives of Google.

Planning Officer Andrew Miner provided the staff report. Director of Community Development Trudi Ryan provided additional information.

Applicant Jeff Holzman, Director of District Development with the real estate group at Google, Inc., spoke regarding the proposed study and provided a PowerPoint presentation.

Public Hearing opened at 8:36 p.m.

Pamela Putman spoke in agreement with the speakers earlier in the meeting and encouraged consideration of cyclists and bicycle safety.

Boban Jose, small business owner in the Moffett Plaza, expressed concerns regarding the loss of small businesses that are being bought by Google and urged Council to consider small family businesses.

Mimi Khuc spoke regarding her family's small business in the small shopping

complex and requested Council not approve the project.

Jacquelyn Khuc spoke regarding the impact of the Google development on their family business in Moffett Plaza, and requested consideration of the impact on their lives.

Kira Od asked that Google involve local biologists and consider birds and wildlife in the area.

Mike Samuel, owner of a small business in Moffett Park, expressed concern regarding the future of the area and requested consideration of the effects of development on the businesses in that area.

Zachary Kaufman spoke regarding consideration of satellite production and the ecosystem that supports it, and what it means to the city fiscally.

Mike Serrone spoke in support of the open space and trails, the reference to placemaking, mixed use and residential development, and encouraged the City to proceed with the study.

Sue Serrone spoke in support of the study and the comments by the Planning Commission. Serrone expressed concerns regarding sea level rise, heat and flooding and spoke in support of the opportunity to study housing needs and requested inclusion of a jobs-housing fit metric.

Nichole Montojo, SV@Home, spoke in support for the study of the Moffett Park Plan and encouraged jobs-housing fit and features that would support affordable housing.

Angela Rausch, Bicycle and Pedestrian Advisory Commission member speaking for herself, spoke in support of the study of mixed use, connectivity of cyclists and pedestrians, and more housing.

Mark Roest, SeaWave Battery, spoke regarding high capacity elevated transit systems and other technologies for connectivity.

Kerry Haywood, Executive Director, Moffett Park Business Group, requested support for the study to update the Moffett Park Specific Plan and support for the staff recommendation.

Ben Pacho, Silicon Valley Bicycle Coalition speaking for himself, expressed support for the amendment to the Moffett Park Specific Plan. Pacho also expressed support for Council's action on Consent Calendar Item 1.D.

Mason Fong, Board of Library Trustees member speaking for himself, spoke in support of the study.

Applicant Jeff Holzman responded to questions.

Public Hearing closed at 9:07 p.m.

MOTION: Vice Mayor Klein moved and Councilmember Larsson seconded the motion to approve Alternatives 1, 2 (A and B) and 3 (A, B, and C i - viii): 1) Initiate a General Plan/Specific Plan Amendment study to consider amending the Moffett Park Specific Plan; 2) Direct staff: A) to prepare a work plan and project description after initial community outreach and return to the Planning Commission for a recommendation and to City Council for action and B) to commence work on the amendment studies only if fully paid for by the applicant(s); and, 3) Direct staff to include the following scope items as suggested by the Planning Commission and modified by staff:

A. Water Supply Assessment.

B. Access at State Highway 237.

C. Bicycle and Pedestrian Master Plan. Prepare a bike and pedestrian circulation plan that considers the following aspects:

i. Type IV bicycle lanes

ii. Light Rail and other transportation

iii. Potential transportation gaps and mitigation measures

iv. Borregas Avenue bridge access

v. Mountain View connection via Moffett Drive

vi. Bike and pedestrian access points to the Bay trail

vii. Sidewalk width consistency with VTA, Caltrans and AASHTO standards

viii. Public safety impacts related to Fire Station Five

The motion carried by the following vote:

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

No: 0

Recused: 1 - Councilmember Griffith

Council recessed at 9:35 p.m.

Council reconvened at 9:46 p.m. with all Councilmembers present.

- 3** [18-0062](#) Introduce an Ordinance to Amend Sunnyvale Municipal Code Section 19.68.040 (Accessory Dwelling Units) and Find that the Action is Exempt from Environmental Review Pursuant to Public Resources Code Section 21080.17

Director of Community Development Trudi Ryan provided the staff report.

Public Hearing opened at 9:48 p.m.

No speakers.

Public Hearing closed at 9:48 p.m.

MOTION: Vice Mayor Klein moved and Councilmember Larsson seconded the motion to approve Alternative 1: Make the finding that the action is exempt from the California Environmental Quality Act pursuant to Public Resources Code Section 21080.17 and introduce an Ordinance (Attachment 2 to the report) to adopt the proposed amendments to Sunnyvale Municipal Code Section 19.68.040 (Accessory Dwelling Units).

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

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

No: 0

Abstain: 1 - Councilmember Goldman

- 4** [18-0120](#) Approve Memorandum of Understanding between the City of Sunnyvale and the Communication Officers Association, Adopt two Resolutions: (1) Amending the City's Salary Resolution and the Schedule of Pay to Increase Salaries for Pay Plan Category A (Classified Employees Represented by the Communication Officers Association ("COA")), and (2) For Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for COA Employees

Interim Director of Human Resources Anthony Giles provided the staff report.

Public Hearing opened at 9:54 p.m.

No speakers.

Public Hearing closed at 9:54 p.m.

MOTION: Councilmember Larsson moved and Councilmember Smith seconded the motion to approve Alternative 1: Authorize the City Manager to Execute the Memorandum of Understanding between the City of Sunnyvale and the Communication Officers Association, Adopt two Resolutions: 1) Amending the City's Salary Resolution and the Schedule of Pay to Increase Salaries for Pay Plan Category A (Classified Employees Represented by the Communication Officers Association), and 2) for Paying and Reporting the Value of Employer Paid Member Contributions for CalPERS Retirement for COA employees.

The motion carried by the following vote:

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

No: 0

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Smith reported her attendance at a meeting of the Santa Clara County Creeks Coalition in which fish passage into Stevens Creek was discussed.

MOTION: Councilmember Smith moved and Vice Mayor Klein seconded the motion to direct staff to place on a future agenda an item with a recommendation regarding contributing funds to the Santa Clara County Creeks Coalition.

The motion carried by the following vote:

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

No: 0

NON-AGENDA ITEMS & COMMENTS

-Council

None.

-City Manager

City Manager Kent Steffens noted an Information Only item in the agenda packet regarding 2017 Housing Legislation.

INFORMATION ONLY REPORTS/ITEMS

- [18-0067](#) Tentative Council Meeting Agenda Calendar
- [18-0056](#) Information/Action Items
- [17-1208](#) Review of 2017 Housing Legislation (Information Only)
- [18-0038](#) Board/Commission Meeting Minutes

ADJOURNMENT

Councilmember Smith provided comments in honor of the memory of her father, Dale Hirstein.

Following a moment of silence, Mayor Hendricks adjourned the meeting at 10:08 p.m.