



# City of Sunnyvale

## Meeting Minutes - Final City Council

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Tuesday, August 28, 2018

7:00 PM

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

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### **7 P.M. COUNCIL MEETING**

#### **CALL TO ORDER**

Mayor Hendricks called the meeting to order.

#### **SALUTE TO THE FLAG**

Mayor Hendricks lead 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

#### **ORAL COMMUNICATIONS**

Mayor Hendricks offered comments in remembrance of Senator John McCain.

Councilmember Goldman reported that the City of Sunnyvale is accepting applications for various Board and Commission vacancies.

Deborah Olson, owner of CJ Olson Cherries, announced that the company will be closing its retail shop on September 30, 2018.

Kristel Wickham, representing the Sustainability Commission, stated that the Commission is recommending that the City Council sign the California Elected Officials petition to Governor Jerry Brown on committing to phase out fossil fuel production in California.

Mary Brunkhorst shared information on the Fall Forest Festival scheduled on September 8, 2018.

Zachary Kaufman clarified his statements he provided at the August 14, 2018 Council Meeting regarding the Lawrence Station Area Plan.

### **CONSENT CALENDAR**

Mayor Hendricks noted amendments to Agenda Items 1C and 1I have been provided on the dais.

MOTION: Vice Mayor Klein moved and Councilmember Larsson seconded the motion to approve the Consent Calendar with the amendments as noted, and the amended minutes, as provided.

The motion carried by the following vote:

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

No: 0

- |            |                                |   |
|------------|--------------------------------|---|
| <b>1.A</b> | <a href="#"><u>18-0501</u></a> | Approve City Council Meeting Minutes of August 14, 2018   |
| <b>1.B</b> | <a href="#"><u>17-1118</u></a> | Approve the List(s) of Claims and Bills Approved for Payment by the City Manager  |
| <b>1.C</b> | <a href="#"><u>18-0643</u></a> | Approve Complete Streets Policy Amendment by Resolution to Comply with Santa Clara Valley Transportation Authority (VTA) Requirement for 2016 Measure B Funds |
| <b>1.D</b> | <a href="#"><u>18-0663</u></a> | Authorize an Amendment to an Existing Purchase Order for Tank Coating Inspection (F19-010)  |
| <b>1.E</b> | <a href="#"><u>18-0674</u></a> | Approve a Third Amendment to a Contract with Kimley-Horn Associates, Inc. for Temporary Personnel Services (F19-015)  |

and Authorize the City Manager to Renew the Contract for up to Two Additional One-Year Periods

- 1.F**      [18-0684](#)      Reject the Sole Bid Received for Sewer Siphon Cleaning and Inspection 2018 (F18-295)
- 1.G**      [18-0694](#)      Authorize an Amendment to an Existing Purchase Order for Fire Protection Clothing, Equipment and Fire Safety Supplies (F17-007)
- 1.H**      [18-0699](#)      Endorse the Slate of Candidates for the League of California Cities Peninsula Division 2018-2019 Election of Officers
- 1.I**      [18-0706](#)      Designate a Voting Delegate and Alternate for the League of California Cities Annual Conference

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

- 2**      [18-0742](#)      Award a Contract to CherryRoad Technologies, Inc. for an Oracle Cloud Enterprise Resource Planning System and Implementation Services (F17-157)

Chief Information Officer Kathleen Boutté Foster provided the staff report.

Public Hearing opened at 7:53 p.m.

No speakers.

Public Hearing closed at 7:53 p.m.

MOTION: Councilmember Griffith moved and Councilmember Larsson seconded the motion to approve Alternative 1: Award a contract in the amount of \$12,072,676 to CherryRoad Technologies, Inc. of Morris Plains, NJ for the implementation and cloud licensing of an Oracle Enterprise Resource Planning solution, in substantially the same form as Attachment 2 to the report and authorize the City Manager to execute the contract when all necessary conditions have been met. Approval is also requested for 10% contract contingency in an amount of \$534,500 and including an additional Project Objective regarding internal financial controls that states, "Implementing the Enterprise Resource Planning System to conform to the City's internal control regimen and financial best practices to safeguard the City's assets and ensure timely preparation of reliable financial statements."

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**

- 3**      [18-0696](#)      Approval of Budget Modification No. 4 in the Amount of \$55,000 for the North County Gun Buyback Program

Director of Public Safety Phan Ngo provided the staff report.

Public Hearing opened at 8:11 p.m.

Hardy Kim, Pastor at Sunnyvale Presbyterian Church, spoke in support of the program.

Henry Alexander III spoke in support of the program.

Public Hearing closed at 8:16 p.m.

MOTION: Councilmember Larsson moved and Councilmember Smith seconded the motion to approve Alternative 2: Approve Budget Modification No. 4 in the Amount of \$55,000 with Sunnyvale's share of \$30,000 funded from the Council Service Level Set-Aside for the North County Gun Buyback Program.

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

**No: 0**

- 4**      [18-0667](#)      Authorize the City Manager to Execute the Second Amendment

to the Agreement Between the City of Sunnyvale and the VTA for the SR 237/US 101/Mathilda Avenue Interchange Improvement Project to Extend the Term Until December 31, 2020, Increasing the Not to Exceed Amount of the City's Financial Contribution From \$8,000,000 to \$25,000,000 and Other Minor Amendments and Approve Budget Modification No. 5

Director of Public Works Charles Taylor provided the staff report.

Public Hearing opened at 8:41 p.m.

Kerry Haywood, on behalf of the Moffett Business Group, spoke in support of the proposal.

Public Hearing closed at 8:42 p.m.

MOTION: Councilmember Griffith moved and Vice Mayor Klein seconded the motion to approve Alternative 1: Authorize the City Manager to Execute the Second Amendment to the Agreement Between the City of Sunnyvale and the VTA for the SR237/US 101/Mathilda Avenue Interchange Improvement Project to extend the term until December 31, 2020, increasing the not to exceed amount of the City's financial contribution from \$8,000,000 to \$25,000,000 and other minor amendments and Approve Budget Modification No. 5 in the amount of \$18,261,507.

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**

- 5**      [18-0679](#)      Proposed Project:      Introduce an Ordinance to Rezone two lots from R-1 (Low Density Residential) to R-0 (Low Density Residential).  
File #: 2018-7309  
Location: 932 Eleanor Way and 1358 Hampton Drive (APNs:

313-01-033, 313-01-034)

Zoning: R-1

Applicant / Owner: Cyrus Fakhari (applicant and owner)

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

Project Planner: Shétal Divatia, (408) 730-7637,  
sdivatia@sunnyvale.ca.gov

Director of Community Development Trudi Ryan provided the staff report.

Applicant Jessie Lin provided information regarding the proposed project and provided a slide presentation and written materials.

Public Hearing opened at 9:31 p.m.

Demetrios Triantafyllou stated he has no objection to the plans of the applicant.

Applicant Cyrus Fakhari provided additional information about the proposed project.

Sherry Tatel spoke in support of retaining the rural character of the neighborhood and in support of the proposed project.

Henry Alexander III spoke on behalf of Irene Connolly and against the proposal to rezone the property. On his own behalf, he spoke against the proposal to rezone.

Applicant Jessie Lin provided comments that the intent of the application is to preserve the neighborhood.

Public Hearing closed at 9:42 p.m.

MOTION: Councilmember Larsson moved and Vice Mayor Klein seconded the motion to approve Alternative 1: Determine that the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061 (b)(3), make the Findings (Attachment 9) to approve the rezoning, and introduce an ordinance to rezone the two parcels from R-1 (Low Density Residential) to R-0 (Low Density Residential) as requested by the applicant.

City Clerk Kathleen Franco Simmons read the ordinance title.

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

The Council recessed at 10:11 p.m. and reconvened at 10:17 p.m. with all Councilmembers present.

- 6**      [18-0703](#)      Approve the Purchase and Sale Agreement Between the City of Sunnyvale and Youland Smarthome LLC for the Sale of 1484 Kifer Road; Formerly, the Unilever Margarine Plant

Director of Public Works Charles Taylor provided the staff report and a slide presentation.

Public Hearing opened at 10:19 p.m.

No speakers.

Public Hearing closed at 10:19 p.m.

MOTION: Vice Mayor Klein moved and Councilmember Smith seconded the motion to approve Alternative 1: Authorize the City Manager to execute the Purchase and Sale Agreement, in substantially the same form as Attachment 1 of the report, between the City of Sunnyvale and Youland Smarthome LLC for the sale of 1484 Kifer Road (Unilever Property).

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 Larsson reported on a Bay Area Water Supply and Conservation Agency (BAWSCA) update on an Appeals Court ruling of the Hetch Hetchy water system, and hearings relating to a decision to negotiate a voluntary agreement on habitat restoration on the Hetch Hetchy land.

**NON-AGENDA ITEMS & COMMENTS**

**-Council**

Mayor Hendricks sponsored a study issue creating an eruv in the City of Sunnyvale. He stated this issue is from the South Peninsula Hebrew School. Councilmember Larsson co-sponsored the study issue.

**-City Manager**

Assistant City Manager Teri Silva announced there is a Special Council Meeting September 5 and reported Summer Concert Series event.

**INFORMATION ONLY REPORTS/ITEMS**

[18-0713](#) Tentative Council Meeting Agenda Calendar

[18-0714](#) Information/Action Items

**ADJOURNMENT**

Mayor Hendricks adjourned the meeting at 10:32 p.m.