

**DRAFT MINUTES\***

**SUNNYVALE CITY COUNCIL  
TUESDAY, MAY 22, 2012, 7 PM**

**CALL TO ORDER**

Mayor Spitaleri called the meeting to order in the Council Chambers.

**SALUTE TO THE FLAG**

Mayor Spitaleri led the salute to the flag.

**ROLL CALL**

**PRESENT:**

Mayor Anthony (Tony) Spitaleri  
Vice Mayor David Whittum  
Councilmember Christopher Moylan  
Councilmember Jim Griffith  
Councilmember Pat Meyering  
Councilmember Tara Martin-Milius  
Councilmember Jim Davis

**ABSENT:**

None.

**STAFF PRESENT:**

City Manager Gary Luebbers  
Assistant City Manager Robert Walker  
Interim City Attorney Michael Martello  
Director of Finance Grace Leung  
Chief of Public Safety Frank Grgurina  
Director of Community Development Hanson Hom  
Director of Public Works Kent Steffens  
Director of Human Resources Teri Silva  
City Clerk Kathleen Franco Simmons

**CLOSED SESSION REPORT FOR MAY 22, 2012 5:15 PM**

*Closed Session pursuant to Govt. Code Section 54957.6– Conference with Labor Negotiators*

Vice Mayor Whittum reported Council met in closed session regarding Conference with Labor Negotiators; direction was given, no action was taken.

**CLOSED SESSION REPORT FOR MAY 22, 2012 6:00 PM**

*Closed Session pursuant to Govt. Code Section 54957 - Public Employee Performance Evaluation:  
City Manager*

Vice Mayor Whittum reported Council met in closed session regarding Public Employee Performance Evaluation; no direction was given, no action was taken.

**SPECIAL ORDER OF THE DAY** – Mayor Spitaleri presented the Government Finance Officers Association (GFOA) Award to Drew Corbett, Budget and Accounting Manager.

**PRESENTATION** – Dianna Nation, Senior Manager, Relay for Life, presented a short video of the American Cancer Society for “Relay for Life”.

**PUBLIC ANNOUNCEMENTS**

Vice Mayor Whittum provided an announcement of the American Soccer Organization regarding the selection of three teams to represent girls divisions in the National Games Competition in Knoxville, Tennessee.

Jeanine Stanek, Sunnyvale Historical Society, announced an upcoming general meeting of the organization and an upcoming volunteer information event.

City Manager Luebbers announced *The Kiplinger Letter* has selected Sunnyvale as one of the top ten cities as best places to raise children in the United States.

**CONSENT CALENDAR**

Councilmember Meyering pulled Item 1.C from the Consent Calendar.

MOTION: Vice Mayor Whittum moved and Councilmember Davis seconded the motion to approve the Consent Calendar, with the exception of Item 1.C.

VOTE: 7 - 0

- 1.A. MOTION Approval of Council Meeting Minutes of May 15, 2012
- 1.B. MOTION Approval of Information/Action Items – Council Directions to Staff

**Fiscal Items**

- 1.C. MOTION List of Claims and Bills Approved for Payment by the City Manager – List  
RTC 12-130 No. 607

Councilmember Meyering expressed comments related to his reasons for not being able to support this item when he feels he has been refused copies of underlying bills starting in February.

Mayor Spitaleri requested order and upon failure of Councilmember Meyering to conform, ruled the Councilmember and called a ten minute recess at 7:18 p.m.

Council reconvened with all Councilmembers present at 7:25 p.m. and Mayor Spitaleri called the meeting back to order.

Mayor Spitaleri allowed Councilmember Meyering three minutes to express his comments.

Councilmember Meyering requested his explanation of dissent be recorded in the minutes.

Councilmember Griffith raised a point of order, and stated that there is not a vote on the floor to dissent to. No ruling on the point was made.

Councilmember Meyering stated that his concern about this matter is that it is a motion to spend \$1.6 million dollars. He alleged that after he complained in February about wasteful spending on a bill payment to lawyers of \$450 an hour he has since been refused copies of the bills.

Mayor Spitaleri confirmed with Interim City Attorney Michael Martello that these bills are available for review by the Councilmember in the City Attorney's office.

MOTION: Vice Mayor Whittum moved and Councilmember Griffith seconded the motion to review the list of bills.

VOTE: 6 - 1 (Councilmember Meyering dissented)

MOTION: Councilmember Davis moved and Vice Mayor Whittum seconded the motion to direct the City Attorney to draft a Council Policy which will delineate the solution to the problems we are experiencing.

VOTE: 7 - 0

### **Contracts**

- 1.D. MOTION Approval to Award a Contract to Skyhawks Sports Academy to  
RTC 12-127 Provide Youth Sports Summer Camps (F1104-57)

Staff Recommendation: Alternative 1: Award a contract to Skyhawks Sports Academy for a two-year period to provide recreational classes and camps. 2. Authorize the City Manager to renew the contract for one additional one-year period, provided services and pricing are acceptable to the City.

Staff Contact: Pete Gonda, (408) 730-7418

### **PUBLIC COMMENTS**

Paul Murdock provided a presentation regarding alleged violations of Eichler Guidelines by a neighbor.

Arlene Goetze submitted written materials and expressed concerns regarding fluoride in baby foods, formula and municipal water.

Michael S. Goldman provided a presentation regarding pension reform.

Tap Merrick spoke regarding proposals to sell public properties in relation to park dedication fees and proposed a 5-year moratorium on new housing developments.

William Herochik addressed earlier comments regarding his Eichler House addition.

**PUBLIC HEARINGS/GENERAL BUSINESS**

2. MOTION Board and Commission Appointments  
RTC 12-132

**Sustainability Commission  
(2 vacancies – Category 1)  
2 terms to 6/30/2016**

Dennis Chiu (Category 1)

VOTE: 1 - 0 - 6 (Councilmembers Meyering, Griffith, Spitaleri, Moylan, Martin-Milius and Davis abstained)

Barbara Fukumoto (Category 1)

VOTE: 6 - 1 (Councilmember Meyering dissented)

Gerald Glaser (Category 1)

VOTE: 7 - 0

James Lauth (Category 1)

VOTE: 2 - 0 - 5 (Councilmembers Griffith, Spitaleri, Moylan, Martin-Milius, Davis abstained)

City Clerk Kathleen Franco Simmons announced Barbara Fukumoto and Gerald Glaser have been appointed to the Sustainability Commission for terms expiring June 30, 2016.

**Bicycle and Pedestrian Advisory Commission  
(2 vacancies – Category One; 1 vacancy – Category Two)  
2 terms to 6/30/2016 (1 Category One, 1 Category Two)  
1 term to 6/30/2015 (1 Category One)**

Kevin Jackson (Category 2)

VOTE: 6 - 1 (Councilmember Davis dissented)

City Clerk Kathleen Franco Simmons announced Kevin Jackson has been appointed to the Bicycle and Pedestrian Advisory Commission, Category Two for a term expiring June 30, 2016.

Richard Kolber (Category 1)

VOTE: 5 - 0 - 2 (Councilmembers Griffith and Moylan abstained)

Julie Wang (Category 1)

VOTE: 3 - 0 - 4 (Councilmembers Griffith, Moylan, Martin-Milius and Davis abstained)

City Clerk Kathleen Franco Simmons announced Richard Kolber has been appointed to the Bicycle and Pedestrian Advisory Commission, Category One, term expiring June 30, 2016

**Board of Library Trustees (2 vacancies)  
2 terms to 6/30/2016**

Jill Shanmugasundaram  
VOTE: 7 - 0

City Clerk Kathleen Franco Simmons announced Jill Shanmugasundaram has been appointed to the Board of Library Trustees for a term expiring June 30, 2016.

**Heritage Preservation Commission (2 vacancies)  
2 terms to 6/30/2016**

David Squellati  
VOTE: 6 - 0 - 1 (Councilmember Davis abstained)

City Clerk Kathleen Franco Simmons announced David Squellati has been appointed to the Heritage Preservation Commission for a term expiring June 30, 2016.

**Housing and Human Services Commission  
(4 vacancies)  
2 terms to 6/30/2016  
1 term to 6/30/2014  
1 term to 6/30/2013**

Dennis Chiu  
VOTE: 6 - 0 - 1 (Councilmember Griffith abstained)

Younil Jeong  
VOTE: 7 - 0

Barbara Schmidt  
VOTE: 6 - 0 - 1 (Councilmember Griffith abstained)

Julie Wang (2<sup>nd</sup> preference)  
VOTE: 5 - 0 - 2 (Councilmembers Moylan and Davis abstained)

MOTION: Councilmember Griffith moved and Councilmember Moylan seconded the motion to appoint the applicant who received a vote of "7 – 0", Younil Jeong to one of the terms expiring 6/30/2012 and break the tie between the two who had a vote of "6 – 0" for the other term expiring 6/30/2012.

AMENDMENT: Councilmember Moylan offered a clarifying amendment that the winner of the tie will get the remaining of the longest terms expiring 6/30/2016, the loser of the tie gets the second longest term expiring 6/30/2014 and Applicant Wang is appointed to the short term expiring 6/30/2013.  
Councilmember Griffith accepted the amendment.

VOTE on the MOTION (by show of hands): 7 – 0

Vote to break a tie between Dennis Chiu and Barbara Schmidt to decide which would receive a term expiring 6/30/2016 and the term expiring 6/30/2014:

Dennis Chiu

VOTE: 3 - 0 - 4 (Councilmembers Griffith, Whittum, Moylan and Martin-Milius abstained)

Barbara Schmidt

VOTE: 7 - 0

City Clerk Kathleen Franco Simmons announced Younil Jeong and Barbara Schmidt have been appointed to the Housing and Human Services Commission for terms expiring June 30, 2016, Dennis Chiu has been appointed to the Housing and Human Services Commission for a term expiring June 30, 2014 and Julie Wang has been appointed to the Housing and Human Services Commission for a term expiring June 30, 2013.

**Arts Commission (2 vacancies)**

**1 term to 6/30/2016**

**1 term to 6/30/2013**

Misuk Park

VOTE: 6 - 0 - 1 (Councilmember Davis abstained)

Wendy Springer

VOTE: 3 - 0 - 4 (Councilmembers Meyering, Griffith, Moylan and Martin-Milius abstained)

Robert Sumner

VOTE: 4 - 0 - 3 (Councilmembers Griffith, Spitaleri and Davis abstained)

MOTION: Councilmember Griffith moved and Councilmember Moylan seconded the motion to appoint Robert Sumner to the term expiring 6/30/2013.

VOTE on MOTION (by show of hands): 7 – 0

City Clerk Kathleen Franco Simmons announced Misuk Park has been appointed to the Arts Commission for a term expiring June 30, 2016, and Robert Sumner has been appointed to the Arts Commission for a term expiring June 30, 2013.

**Parks and Recreation Commission (1 vacancy)**

**1 term to 6/30/2016**

Henry Alexander III

VOTE: 5 - 0 - 2 (Councilmembers Meyering and Martin-Milius abstained)

Daniel Bremond

VOTE: 3 - 0 - 4 (Councilmembers Griffith, Whittum, Spitaleri and Davis abstained)

Ralph Kenton

VOTE: 3 - 0 - 4 (Councilmembers Meyering, Griffith, Whittum and Spitaleri abstained)

Wendy Springer

VOTE: 1 - 0 - 6 (Councilmembers Griffith, Whittum, Spitaleri, Moylan, Martin-Milius and Davis abstained)

City Clerk Kathleen Franco Simmons announced Henry Alexander III has been appointed to the Parks and Recreation Commission for a term expiring June 30, 2016.

**Personnel Board**

**(1 vacancy-Employee Nominated; 1 vacancy-Council Nominated)**  
**(Only one appointment at this time, for the Council-Nominated vacancy)**  
**2 terms to 6/30/2016**

Marc Ketzel (Council Nominated)

VOTE: 5 - 0 - 2 (Councilmembers Martin-Milius and Davis abstained)

Derek Purdy (Council Nominated)

VOTE: 2 - 0 - 5 (Councilmembers Meyering, Griffith, Spitaleri, Moylan and Martin-Milius abstained)

Wendy Springer (Council Nominated)

VOTE: 0 - 0 - 7 (Councilmembers Meyering, Griffith, Whittum, Spitaleri, Moylan, Martin-Milius and Davis abstained)

City Clerk Kathleen Franco Simmons announced Marc Ketzel has been appointed to the Personnel Board, Council-nominated seat for a term expiring June 30, 2016

**Planning Commission (2 vacancies)**  
**2 terms to 6/30/2016**

Glenn Hendricks

VOTE: 6 - 1 (Councilmember Meyering dissented)

Russell Melton

VOTE: 4 - 0 - 3 (Councilmembers Griffith, Moylan and Martin-Milius abstained)

Ken Olevson

VOTE: 3 - 0 - 4 (Councilmembers Meyering, Whittum, Spitaleri and Davis abstained)

Ken Rheaume

VOTE: 2 - 0 - 5 (Councilmembers Griffith, Whittum, Spitaleri, Martin-Milius and Davis abstained)

Wilson White

VOTE: 2 - 0 - 5 (Councilmembers Meyering, Whittum, Griffith, Spitaleri and Moylan abstained)

City Clerk Kathleen Franco Simmons announced Glenn Hendricks and Russell Melton have been appointed to the Planning Commission for terms expiring June 30, 2016.

**Board of Building Code Appeals (4 vacancies)**  
**2 terms to 6/30/2015**  
**2 terms to 6/30/2016**

No applicants.

3. MOTION                      Consideration of a Position on the El Camino Real Bus Rapid Transit  
RTC 12-131                      Project Dedicated Bus Lane Concept

Director of Public Works Kent Steffens presented the staff report.

Public hearing opened at 9:00 p.m.

Eamonn Gormley spoke in support of the plan for dedicated bus and bike lanes on El Camino or to allow VTA to further investigate the feasibility.

Andy Fraser spoke against the BRT proposal, citing concerns about traffic being diverted off of El Camino and suggested an experiment by blocking one lane on each side of the street for one weekday to demonstrate what will happen to vehicular traffic on El Camino.

Ursula Syrova spoke in support of emphasizing the goal of sustainability and de-emphasizing the use of cars and urged study of dedicated bus lanes through the EIR.

Betty Green-Heffern spoke in support of dedicated bicycle lanes.

Bill Moniz spoke regarding questions he feels have not been answered by VTA relating to the definition of the number of daily boardings and ridership, operational costs and impacts with continuation of Bus 22.

Susan Stuart, Center for Chronic Disease and Injury Prevention, Santa Clara County Public Health Department, spoke regarding the connections between health and street design. She stated efforts to create a complete El Camino Real have the potential for improving public health in the City of Sunnyvale.

Richard Kolber expressed concerns regarding the use of the middle and right lanes by Buses 522 and 22 and the need for improvements in lighting to encourage walking on El Camino.

Mei-Ling Stefan urged a no vote on dedicated lanes and stated they come at the expense of more riders. She suggested the BRT may result in more people driving.

Sohail Tabar speaking on behalf of Toyota Sunnyvale, spoke in opposition to the BRT plan based on impacts to ease of access to the dealership and stated dedicated lanes could be a detriment to local businesses.

Kevin Connelly, representing VTA, stated he was available for questions.

Eugene Bradley, founder of the Silicon Valley Transit Users, spoke in favor of dedicated bus lanes and submitted written materials.

Ken Fields, spoke in support of BRT and stated there are some major reasons to support it including the building of the new stadium and the future Olympic trials.

Gary Bailey stated the 522 gets quite crowded sometimes and spoke in support of dedicated lanes for the BRT with the faster speeds. He stated internet access would encourage a lot of riders.

James Manidakos, Chair of BPAC, reported the BPAC voted unanimously to support the dedicated lanes for BRT on El Camino especially regarding improvements to pedestrian and bicycle facilities. He stated the recommendation was conditioned upon retention of all existing crossings of El Camino.

Meryl Lane-Knoll, spoke in support of BRT for child safety reasons and stated she agrees with the recommendation regarding the seven left U-turn bike lanes.

Sue Harrison spoke in support of BRT and stated it is a proven catalyst for economic growth and an opportunity to leverage non-city funds. She stated it would be an investment in safety and transportation congestion management and spoke in support of the recommendation by staff to study before and after the project.

Scott Lane spoke in support of two dedicated lanes for BRT and recommended a unanimous yes vote to move forward with the EIR.

Brian Darrow, representing Working Partnerships USA, spoke in support of moving the BRT project dedicated lanes into the next phase of environmental review and federal funding applications.

Kevin Jackson spoke in support of working toward a multi-modal transportation system and requested approval of the staff recommendation.

Evon Leistiko expressed concerns regarding the proposal for a station in the median for pedestrian safety reasons.

Nina Hansotia stated Sunnyvale is suburban, children-friendly and family-friendly city and spoke in opposition to the BRT and the cost of subsidizing bus transit.

Linda Larsen questioned VTA's predictions on ridership with Bus Rapid Transit, expressed concerns regarding increases in traffic congestion on side streets and suggested a longer study to determine what happens when lanes are blocked off.

Joan Herdocia spoke regarding the VTA's report showing low boarding and ridership data, disagreed with the VTA's projections and suggested the city should put a non-binding vote on the ballot. She recommended staff alternative 4, to take no action.

Ali Masood spoke in support of the study for the bus rapid transit for the benefit of student transportation.

Diane Gleason stated the population of Sunnyvale will increase along with increases in traffic, and recommended support of moving forward with the EIR.

John Cordes spoke in support of using the funding from Measure A for the EIR study of dedicated lanes for the BRT in order to upgrade the El Camino Real corridor.

Doris Grijalva expressed concerns for the safety of elderly and handicapped people getting to the median to get on or off the buses and stated she wanted more information about the study.

Michael Ludwig spoke regarding air pollution and population growth and stated Sunnyvale will need to improve transit and provided written materials. He stated the experiment to block off lanes would be unfair because it wouldn't show the increased ridership at the same time.

Dan Hafeman stated dedicated lanes will speed up travel time as it allows buses to stop and start without turning out; at stop lights, buses would pull right up to the stop light. He stated riders would have a more comfortable ride without the swerving, it will be more like light rail, new buses will be diesel hybrids and could in future be electric. He recommended doing the study when traffic is really heaviest on Saturday, and stated the City may never get bike lanes on El Camino without this project

Mark Balestra, owner of Pearson Automobile Company and president of Sunnyvale Auto Dealer Association, stated his support of the VTA's mixed use plan but asked Council to consider the impact on businesses. He stated the dedicated lane will create many barriers, will eliminate on-street parking, discourage shoppers, and that downsizing El Camino will reduce auto traffic on El Camino, but the traffic will be diverted to side streets. He stated auto dealers generate millions in sales tax revenue every year and this proposal puts revenue at risk. He stated he supports the intent of bus rapid transit and requested support of the mixed use option and rejection of the dedicated lane option.

Ryan Hopkins, with Larry Hopkins Honda, urged a no vote on the dedicated bus lane proposal. He stated it will reduce ease of use and convenience to customers, discourage them from doing business here, discourage dealers from doing facility upgrades and encourage them to move out of Sunnyvale, which will reduce revenues to the City. He stated the mpg standards on vehicles will play a more significant role in achieving clean air and would better serve the needs of the community.

Margaret Okuzumi spoke in support of bus rapid transit and stated her health and well-being are improved by riding the bus, bicycling and walking, and urged support of the staff recommendation.

Peter Cirigliano spoke in support of the staff recommendation and stated the time to improve transportation is now.

James Kern spoke in support of moving forward with the project by evaluating the environmental impact report. As a Toyota owner, he stated he believes customer loyalty will hold up.

David Jones spoke in support of moving forward with the EIR and to look at the study critically. He expressed concerns regarding the impacts to bicyclists with increased traffic on side streets, and recommended looking at the North/South corridors.

Chris Lepe, Silicon Valley community planner for Transform, urged moving forward with the study of the transportation proposal. He stated additional studies could take place including a health impact assessment, economic analysis, study of North/South service, and completion of a citywide transportation plan.

Jarrett Mullen spoke in support of dedicated lanes for reliability reasons and spoke regarding the issue of lower light rail use down office corridors. He stated use of the dedicated lanes on El Camino will increase with the different uses such as by residents, retail and offices.

Ed Lee questioned the urgency to use this funding when state and federal agencies are running huge deficits.

Travis Brueggemann spoke in opposition to the proposal and stated the scale is overly optimistic. He stated buses, cars and traffic don't mix, traffic lights are already bad on El Camino, and suggested that if buses are full, then to consider adding more buses. He stated he doesn't think reducing the ability to drive a car will encourage people to get out of their cars. He spoke in opposition to mixing projects such as adding bike lanes or adding pedestrian lanes.

Susan Adams stated there doesn't appear to be great bus ridership and recommended adding buses if there is a need. She stated she drives on El Camino often and expressed concerns regarding people trying to get to the median to board the buses. She stated she doesn't believe bus fares support the expense of providing transit service and urged a no vote.

Barbara Fukumoto spoke regarding future changes in which the auto will play a smaller part, and transit and cycling are more viable choices. She stated transit ridership rises with gasoline prices yet the preliminary VTA models do not factor in rising gas prices, making VTA's projections conservative. She spoke regarding large developments being built along El Camino and stated the BART extension to open in five years will be connected by transit to the El Camino corridor. She urged adoption of the staff recommendation to comprehensively study the BRT option with dedicated lanes with staff's conditions.

Gustav Larsson spoke in support of the staff recommendation and stated he loves to walk and bike and would love to have more options. He stated the South Bay region is growing and that development along El Camino Real will become more congested in future. He stated boarding and ridership on 22 and 522 are greater than boarding on Caltrain in Sunnyvale and traffic diverted from El Camino onto Homestead is a projected increase in 2015 of 2% to 4%. He stated he commutes by remote but still drives to run errands, go to evening events and go to lunch and would like more options to get around in the City.

Kasthuri George stated she likes the proposal on bike lanes and faster buses, but doesn't like the dedicated lanes. She expressed concerns regarding the ability to pull over into one lane for emergency vehicles to pass. She spoke in support of a mass transportation system which has smaller transportation leading into larger transportation methods and recommended a no vote on this proposal.

Brandon Sulser spoke in favor the recommendation and expressed support for bike lanes on El Camino.

Gerald Glaser spoke in favor of the study and stated the 20<sup>th</sup> Century solution was cars but that he isn't convinced the 21<sup>st</sup> Century solution is cars. He stated the BRT will be a trigger that will allow us to look at the solutions we need in order to preserve what we have.

Public hearing closed at 10:50 p.m.

Councilmember Davis moved to take a brief recess at 10:50 p.m.

Mayor Spitaleri called a brief recess at 10:50 p.m.

Council reconvened with all Councilmembers present at 11:03 p.m.

Kevin Connelly, representing VTA, addressed comments from the public hearing and questions from Council relating to diversion of traffic on parallel streets, boarding and ridership on El Camino Real, addressing the need to improve transit today, a strategic plan for North/South transit, barrier design to admit emergency vehicles, looking at the range of alternatives in the EIR relating to dedicated lanes, mixed-flow, light rail, an express bus, and the no-build option, funding for operating costs with or without BRT, and the need to do something about North/South transit. He affirmed VTA could be tasked with a study to come up with a conclusion and recommendation on North/South transit.

MOTION: Councilmember Moylan moved and Councilmember Martin-Milius seconded the motion to approve Alternative 2 with additional conditions: Conditionally support the El Camino Real Bus Rapid Transit Project with a configuration of four travel lanes, two dedicated bus lanes, and two bicycle lanes in Sunnyvale. Staff suggests that at a minimum the following conditions be placed on Sunnyvale's support for the project:

- a. Mitigate or offset to the satisfaction of the City of Sunnyvale any environmental impacts caused by the project within Sunnyvale identified in subsequent environmental documentation including the potential impacts of traffic diverted from El Camino to other roadways in Sunnyvale.
- b. Develop and execute an operations and maintenance agreement establishing responsibilities for maintenance of landscaping, lighting, decorative crosswalk features, traffic signals and interconnect, and other project elements, and parameters of signal and BRT operations which does not increase Sunnyvale's current maintenance obligations to the mutual satisfaction of the VTA, the California Department of Transportation, and the City of Sunnyvale.
- c. Study, secure California Department of Transportation approval, construct, and maintain new mid-block signalized left turn and pedestrian crossing intersections at up to seven locations, as approved by the City of Sunnyvale.
- d. Conduct pre-project and post-project (initiated within 6 months of project opening) traffic studies with a goal to maintain corridor speeds on El Camino Real, and on the corridors of Mathilda Avenue, Remington/Fair Oaks Avenue, Mary Avenue and Wolfe Road at their intersection with El Camino Real to the maximum extent feasible. If post-project traffic studies show a degradation of intersection level of service from pre-project conditions of one grade level or more at any Consideration of a Position on the El Camino Real Bus Rapid Transit Project Dedicated Bus Lane Concept location, or if corridor travel times degrade greater than 5% from pre-project conditions, VTA shall utilize all reasonable and feasible measures including but not limited to state of the art signal operations systems, intersection capacity enhancements, management of transit pre-emption to maximize corridor speeds and person-throughput.
- e. Work with the City to evaluate opportunities and tradeoffs to minimize right of way acquisition and provide continuous bike lanes through modification of the project design.
- f. Initiate a Community-Based Transportation Study in Sunnyvale upon VTA Board approval of a Preliminary Investment Strategy for El Camino Real Bus Rapid Transit. Such a study shall consider at a minimum, potential sources of transit ridership and trip linkages within Sunnyvale, and make recommendations for specialized service such as community bus or shuttles from City trip generators and neighborhoods to major transit corridors such as Caltrain, Tasman West light rail, or a future BRT corridor on El Camino Real. Recommendations from the Study shall be included as recommendations in the draft environmental document for the El Camino Real Bus Rapid Transit Project as potential project mitigation.
- g. Evaluate existing curb-side bus stops on El Camino with a goal to reduce delay to

through traffic while local buses are boarding. Make improvements such as creating or extending bus duck outs to minimize delays.

- h. Work with the City to further evaluate the need for on-street parking for businesses including, car dealerships. Prepare alternatives for the City's consideration as part of the preliminary engineering phase that would modify roadway features, such as median widths, in selected locations so that on-street parking could be retained.
- i. Other conditions identified by the City Council as follows:
  - Condition 2.a.: Add that if the in-depth study shows as expected that a substantial fraction of whatever traffic gets diverted going up to Central Expressway, that VTA is to prepare an implementation plan for near-term funding of project X3 that is in the T2035 document which is an auxiliary lanes project on Central Expressway;
  - Condition 2.g.: Add that one other thing that will be studied and report back whether it is viable or not is to reduce the frequency of the 22 at the same time;
  - Condition 2.h.: Request that VTA set up a task force with Sunnyvale auto dealers, to deal with all aspects of that issue and find out all the ways to mitigate what their concerns are.

VOTE: 3 - 4 (Councilmembers Meyering, Whittum, Spitaleri, Davis dissented)

Motion failed.

MOTION: Councilmember Meyering moved and Vice Mayor Whittum seconded the motion to request the VTA to come back to Council in 90 days with proposals to increase the speed of traffic on Mathilda running South through Sunnyvale-Saratoga Road into DeAnza.

VOTE: 4 - 3 (Councilmembers Griffith, Moylan, Davis dissented)

Councilmember Moylan announced as the Vice Chair of the VTA El Camino Real Bus Rapid Transit Advisory Policy Board, he will submit his resignation tomorrow and requested the Mayor put an item on the next agenda for an appointment of a new representative from Sunnyvale for that board.

MOTION: Vice Mayor Whittum moved and Councilmember Davis seconded the motion to continue through the agenda.

VOTE (by show of hands): 7 - 0

4. MOTION                      Public Hearing and Adoption of a City of Sunnyvale Resolution to Levy  
RTC 12-128                      an Annual Assessment for the Downtown Sunnyvale Business  
   Improvement District

Vice Mayor Whittum disclosed his residence is within 500 feet of the Business Improvement District, recused himself from hearing this matter, and left the room.

Economic Development Manager Connie Verceles presented the staff report.

Public hearing opened at 12:10 p.m.

Manfred Diehl spoke regarding issues with the BID concerning three businesses on East Washington Avenue: Goldfields' at 131, Universal Cuts at 143, and Sunny Salon at 149 and stated they have concerns about the fees doubling.

Joel Wyrick, Executive Director of Sunnyvale Downtown Association addressed the speaker's concerns and stated the association didn't ask for any BID fees increase or change of zones in 2012-2013.

Public hearing closed at 12:13 p.m.

MOTION: Councilmember Griffith moved and Councilmember Davis seconded the motion to approve Alternative 1: Adopt Resolution of the City of Sunnyvale to Levy an Annual Assessment for the Downtown Sunnyvale Business Improvement District

VOTE: 6 - 0 (Vice Mayor Whittum recused)

Following action on this item, Vice Mayor Whittum returned to the room and took his seat at the dais.

5. MOTION                    Red Light Camera Intersection Monitoring Systems in the City of  
RTC 12- 129                Sunnyvale (Study Issue Update)

Director of Public Safety Frank Grgurina presented the staff report.

Public hearing opened at 12:19 p.m.

No speakers.

Public hearing closed at 12:19 p.m.

MOTION: Vice Mayor Whittum moved and Councilmember Griffith seconded the motion to approve Alternative 1: Direct Department of Finance and DPS staff to suspend the RFP process and direct DPS staff to continue to monitor legal, legislative and fiscal challenges to RLC system implementation.

VOTE: 6 - 1 (Councilmember Moylan dissented)

#### **COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

Councilmember Griffith provided a report of a recent BASCWA meeting and informed staff their reserves are a little over-funded so assuming the situation stays the same, the City's contribution may drop potentially by about 7% next year.

#### **NON-AGENDA ITEMS & COMMENTS**

Vice Mayor Whittum reported there is a study session on June 12 concerning activities and status of the Moffett Airfield and Hangar One issue.

Vice Mayor Whittum provided information regarding the matter of Murphy Park and submitted written materials.

Councilmember Meyering requested a list of California Law School Alumni Association Job Bulletin Boards where the City Attorney position has been posted.

Mayor Spitaleri reported he was invited by the White House to be part of the delegation to receive President Obama when he arrives Wednesday at Moffett Field.

**INFORMATION ONLY REPORTS/ITEMS**

- Tentative Council Meeting Agenda Calendar
- Study Session Summary of Project Approval Process and Decision Authority for Land Use Applications for April 24, 2012
- Study Session Summary of April 30, 2012 – Board and Commission Interviews
- Study Session Summary of May 1, 2012 – Board and Commission Interviews
- Draft Minutes of the Heritage Preservation Commission Meeting on May 2, 2012.

**ADJOURNMENT**

Mayor Spitaleri adjourned the meeting at 12:25 p.m.