



# City of Sunnyvale

## Meeting Minutes - Draft City Council

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Tuesday, June 6, 2017

4:30 PM

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

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**Special Meetings: Closed Session- 4:30 PM | Study Session- 6 PM | Regular Meeting- 7 PM**

### **4:30 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 4:31 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

#### **3 Public Comment**

No speakers.

#### **4 Convene to Closed Session**

[17-0611](#)

Closed Session held pursuant to California Government Code  
Section 54957.6: CONFERENCE WITH LABOR  
NEGOTIATORS  
Agency designated representatives: Deanna J. Santana, City  
Manager; Teri Silva, Director of Human Resources  
Unrepresented Employee Groups: Department Directors,  
Classified Management, Unclassified Management

#### **5 Adjourn Special Meeting**

Vice Mayor Larsson adjourned the meeting at 5:57 p.m.

#### **6 P.M. SPECIAL COUNCIL MEETING (Study Session)**

##### **1 Call to Order in the West Conference Room (Open to the Public)**

Vice Mayor Larsson called the meeting to order at 6:01 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

##### **3 Public Comment**

##### **4 Study Session**

[17-0416](#) Water Supply Issues and Drought Update by Representatives of the Bay Area Water Supply and Conservation Agency and Santa Clara Valley Water District

##### **5 Adjourn Special Meeting**

Vice Mayor Larsson adjourned the meeting at 6:55 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, Unrepresented Employee Groups: Department Directors, Classified Management, Unclassified Management; nothing to report.

### **SPECIAL ORDER OF THE DAY**

[17-0110](#) SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office  
for Board and Commission Members

City Clerk Kathleen Franco Simmons administered the Oath of Office to new and returning board and commission members. Mayor Hendricks congratulated the members and thanked them for their service.

### **ORAL COMMUNICATIONS**

Councilmember Melton announced board and commission vacancies and an upcoming application deadline.

Michael Gonzales, Green Party of Santa Clara County, requested Council schedule an agenda item to take action to divest from banks that finance the Dakota Access Pipeline and other fossil fuels, and provided a PowerPoint presentation.

Christine Pepin, Green Party of Santa Clara County, requested Council divest from banks funding the Dakota Access Pipeline, the Keystone XL Pipeline and extreme fossil fuels.

Huy Tran, Wage Theft Coalition, spoke regarding wage theft in Sunnyvale.

Jeanine Stanek, Sunnyvale Historical Society, provided an update on upcoming activities and exhibits of the museum.

David King spoke regarding the Food Scraps program.

Tony Guan, Save My Sunny Sky, spoke regarding increased airplane noise over

Sunnyvale and asked that a budget item be considered to resolve the issue.

City Manager Deanna Santana stated Council will consider an agenda item on June 20 regarding participation in direct or indirect investment in fossil fuels.

City Clerk Kathleen Franco Simmons administered the oath of office to newly appointed Sustainability Commissioner Stephen Joesten.

### **CONSENT CALENDAR**

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

The motion carried by the following vote:

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

**No: 0**

**1.A**     [17-0504](#)     Approve City Council Special Meeting Minutes of May 19, 2017

Approve the City Council Special Meeting Minutes of May 19, 2017 as submitted.

**1.B**     [17-0377](#)     Approve City Council Meeting Minutes of May 23, 2017

Approve the City Council Meeting Minutes of May 23, 2017 as submitted.

**1.C**     [17-0178](#)     Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Approve the list(s) of claims and bills.

**1.D**     [17-0428](#)     Approve the Fiscal Year (FY) 2017/18 Preliminary Engineer's Report for the Downtown Parking District Assessment, Adopt a Resolution of Intention to Levy and Collect an Assessment for the Downtown Parking Maintenance District for FY 2017/18, and Set the Date of July 11, 2017 for the Public Hearing on the Proposed Assessment

Approve the Fiscal Year (FY) 2017/18 preliminary Engineer's Report for the Downtown Parking District Assessment, adopt a Resolution of Intention to Levy and Collect an Assessment for the Downtown Parking Maintenance District for FY 2017/18, and set the date of July 11, 2017 for the public hearing on the levy of the proposed Assessment.

- 1.E**      [17-0621](#)      Approval of One-Stop Operator for NOVA Local Workforce Development Area - continued from May 23, 2017

Approve Hilary Goodkind dba Cenetri Group as one-stop operator for the NOVA Local Workforce Development Area.

- 1.F**      [17-0615](#)      Adopt Ordinance No. 3118-17 Making Findings and Amending Chapter 3.60 (Downtown Sunnyvale Business Improvement District) of Title 3 (Revenue and Finance) of the Sunnyvale Municipal Code to Convert Portions of Bid Zone C to Zone B

Adopt Ordinance No. 3118-17.

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

- 2**      [17-0192](#)      Annual Public Hearing on FY 2017/18 Budget and Resource Allocation Plan and Establishment of Appropriations Limit

Director of Finance Tim Kirby provided the staff report. City Manager Deanna Santana provided additional information.

Public Hearing opened at 7:34 p.m.

Becky Cooper, CEO, Friends for Youth, requested consideration of the Housing and Human Services Commission Alternative A in which the same level of funding would be provided as in the past two years, and provided information regarding the program's services.

Paul Hepfer, Vice President of Programs, Health Trust Meals on Wheels program, spoke in support of Housing and Human Services Commission Alternative A and provided written materials.

Amanda Olson, Case Manager, Downtown Streets Team Sunnyvale, provided information regarding the program's services and in support of Alternative A.

Michele Schroeder, Senior Adult Legal Assistance (SALA), provided information regarding the program's services.

Kathleen King, Healthier Kids Foundation, provided information regarding the program's services, spoke in support of Alternative A and provided written materials.

Maritza Henry, Director of School Based Services, SES, provided information regarding the program's services and requested support for Alternative A.

Pat Lawson-North, Director, Vision Literacy, provided information regarding the program's services.

Wanda Hale, Long-Term Care Ombudsman Program, provided information regarding the program's services.

Ashley Peil, Finance Manager, MayView Community Health, provided information regarding the program's services and spoke in support of Alternative A.

Public Hearing closed at 7:56 p.m.

**3**      [17-0530](#)      Annual Review of Proposed Fees and Charges for Fiscal Year 2017/18

Director of Finance Tim Kirby provided the staff report. Fire Marshal Lynne Kilpatrick, Director of Community Development Trudi Ryan and City Manager Deanna Santana provided additional information.

Public Hearing opened at 8:11 p.m.

J.D. spoke regarding an email communication he provided earlier regarding the fee schedule.

Bill Ward spoke regarding increases in fire prevention and hazardous materials fees.

Public Hearing closed at 8:17 p.m.

**4**      [17-0138](#)      Adopt a Resolution to Cause Charges for Non-Payment of Delinquent Utility Charges to be placed on the FY 2017/18 County of Santa Clara Property Tax Roll

Director of Finance Tim Kirby provided the staff report and stated a revised Exhibit A had been distributed to reflect payments that had been received.

Public Hearing opened at 8:20 p.m.

No speakers.

Public Hearing closed at 8:20 p.m.

MOTION: Councilmember Griffith moved and Vice Mayor Larsson seconded the motion to approve Alternative 1: Adopt a Resolution to Cause Charges for Non-Payment of Delinquent Utility Charges to be placed on the FY 2017/18 County of Santa Clara Property Tax Roll per the updated Exhibit A.

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      [17-0491](#)      Proposed Project: Call for Review by the City Council of a Decision by the Planning Commission Approving Related Applications on 28 Sites Consisting of 51.07 Gross Acres: PEERY PARK PLAN REVIEW PERMIT: to allow the demolition of 28 existing office and industrial buildings totaling 768,665 sq. ft. and the construction of nine three-story and three four-story office buildings totaling 1,471,400 sq. ft.; a two-story and two one-story amenity buildings totaling 40,000 sq. ft.; one four-level and one three six-level above-grade parking structures; a private connector street with public vehicular and pedestrian access; and related site and offsite improvements.  
TENTATIVE MAP: to allow 28 existing parcels to be merged into seven parcels, including the abandonment of Maude Court.  
File #: 2015-7879  
Location: Various sites located on Almanor, North Mary, Benecia, Palomar, Del Rey and North Pastoria Avenues, and Maude Court.  
Applicant / Owner: Irvine Company  
Environmental Review: The project is exempt from additional California Environmental Quality Act (CEQA) review per CEQA Guidelines section 15168(c)(2) and (4) and Public

Resources Code Section 21094. The project is within the scope of the Peery Park Specific Plan Program Environmental Impact Report (EIR) as no new environmental impacts are anticipated and no new mitigation measures are required.

Associate Planner George Schroeder provided the staff report. Director of Community Development Trudi Ryan, Planning Officer Andrew Miner and Director of Public Works Manuel Pineda provided additional information.

Public Hearing opened at 9:18 p.m.

Applicant Carlene Matchniff, Vice President, Entitlements & Public Affairs, The Irvine Company provided information regarding the project. Todd Arris, Senior Vice President of Northern California Development and Construction, The Irvine Company, and Steven Gomez, Director and Chief Executive Officer, B2G Leadership, provided additional information regarding the project.

Tim Oey spoke regarding the pedestrian perspective on the location of the elevators.

Applicant Carlene Matchniff spoke regarding installation of mid-block crossings, flashing beacons, and formalized pavers.

Public Hearing closed at 9:50 p.m.

MOTION: Councilmember Klein moved to approve Alternatives 1 and 2: 1) Affirm the decision of the Planning Commission to make the required Findings to approve the CEQA determination that the project is within the scope of the Peery Park Specific Plan (PPSP) Environmental Impact Report and no additional environmental review is required; and 2) Modify the decision of the Planning Commission to approve the Peery Park Plan Review Permit and Tentative Map subject to the PPSP Mitigation Monitoring and Reporting Program in Attachment 6 to the report by modifying conditions of approval GC-13, PS-1, PS-1A, PS-1B, PS-1C, PS-1E, PS-1F, PS-1G, PS-1J, PS-1M, PS-2, PS-3, PS-4, and PF-1 as noted in Attachment 21 to the report and affirming all other conditions of approval as noted in Attachment 4 to the report, with the addition of a condition that the developer fund the study of improvements and the improvements themselves for a possible pedestrian mid-street crossing if necessary in the future.

Mayor Hendricks seconded the motion with the clarification that the additional condition is only if necessary in the future, and an additional condition of approval that they have to put the hedge in.

Councilmember Klein concurred and agreed to the additional condition.



FRIENDLY AMENDMENT: Councilmember Melton offered a friendly amendment with regard to Condition of Approval TM-7A, to instruct staff to provide an informational Report to Council prior to a fee credit being applied. Councilmember Klein accepted the friendly amendment.

AMENDMENT: Councilmember Melton moved to amend the motion and Councilmember Griffith seconded to, in agreement with the Planning Commission, strike PS-1A, which would put elevators in the front of the structure as was applied for by the applicant.

The motion to amend carried by the following vote:

**Yes: 4 -** Vice Mayor Larsson  
Councilmember Griffith  
Councilmember Smith  
Councilmember Melton

**No: 2 -** Mayor Hendricks  
Councilmember Klein

**Abstain: 1 -** Councilmember Goldman

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

Council recessed at 10:06 p.m.

Council reconvened at 10:15 p.m. with all Councilmembers present.

**6**      [17-0502](#)      Approve the Design Development of Fair Oaks Bike Lanes and Streetscape Project

Director of Public Works Manuel Pineda provided the staff report.

Public Hearing opened at 10:50 p.m.

Jeral Poskey, Project Executive and Transportation Planner, Google, spoke in

support of high quality bike lanes throughout the City and in support of a strong message in favor of highly safe, friendly bike paths.

Tim Oey, speaking on behalf of the Bicycle and Pedestrian Advisory Commission, presented the recommendations of the commission.

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

Robert Werner spoke in favor of no action.

Armand Barreras spoke regarding the elderly homeowners along Fair Oaks and asked for consideration for them, and spoke in opposition to removal of parking.

Roberta Price spoke in support of the “sharrows”.

Dave Barreras spoke regarding the outreach meeting and in opposition to removal of parking on Fair Oaks.

Tiana Seiver spoke in opposition to removal of parking on Fair Oaks.

Public Hearing closed at 11:09 p.m.

MOTION: Councilmember Melton moved and Mayor Hendricks seconded the motion to approve Segments 1 and 2 - Design Alternative B, Installation of Class III “sharrows” in both directions; and Segment 3 - Design Alternative A, Installation of Class III “sharrows” in both directions.

The motion carried by the following vote:

**Yes:** 5 - Mayor Hendricks  
Vice Mayor Larsson  
Councilmember Klein  
Councilmember Melton  
Councilmember Goldman

**No:** 2 - Councilmember Griffith  
Councilmember Smith

**7**      [17-0577](#)      Adopt Resolutions Authorizing the Operation of Property Assessed Clean Energy (PACE) Financing Programs Within the City of Sunnyvale, Authorize the City Manager to Execute Agreements and Other Documents Necessary to Implement

the Same, and Find that the Actions are Exempt from Environmental Review under CEQA Guidelines Section 15378(b)(4)

Regulatory Division Manager Melody Tovar provided the staff report and stated a letter was received this morning from one of the providers, HERO (also known as Renovate America), and stated the staff recommendation no longer includes HERO.

Public Hearing opened at 11:39 p.m.

George Apostolopoulos, YGreene Energy Fund, stated he is available for questions.

Public Hearing closed at 11:39 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Klein seconded the motion to approve Alternatives 1, 2, and 4 through 8:

1. Approve the proposed operating conditions as presented in Attachment 3 to the report and establish these conditions as requirements for PACE providers to operate in Sunnyvale;
2. Authorize the City Manager to execute the Adoption of the Association of Bay Area Governments (ABAG) Regional Collaborative Services Agreement with Residential PACE Providers (Attachment 4 to the report);
4. Adopt a resolution (Attachment 8 to the report) authorizing the inclusion of properties within the territory of the City of Sunnyvale in the CSCDA Open PACE Program for those providers signing the City's Letter of Agreement and the ABAG Regional Agreement;
5. Adopt resolutions (Attachments 9 and 10 to the report) authorizing the inclusion of properties within the City's jurisdiction in the Ygrene program through the California Home Finance Authority Community Facilities District No. 2014-1 (Clean Energy) under SB 555 and under AB 811 and approving an amendment to the California Home Finance Authority/Golden State Finance Authority's Joint Powers Agreement (formerly the California Rural Home Mortgage Finance Authority ) adding the City of Sunnyvale as an Associate Member, and authorize the City Manager to execute the amendment to the California Home Finance Authority/Golden State Finance Authority's Joint Powers Agreement adding Sunnyvale as an Associate Member (Attachment 11 to the report).
6. Adopt a resolution (Attachment 12 to the report) authorizing the City to join the FigTree PACE Program, approving Associate Membership for the City in the California Enterprise Development Authority's Joint Powers Agreement (Attachment 13 to the report), and authorizing the California Enterprise Development Authority to conduct contractual assessment proceedings and levy

contractual assessments within the territory of the City of Sunnyvale, and authorize the City Manager to execute the Associate Member Agreement with the California Enterprise Development Authority (Attachment 14 to the report);

7. Authorize the City Manager to execute other documents or agreements necessary to implement the above PACE programs as the City Manager concludes are necessary and appropriate; and

8. Find that the Actions are Exempt from Environmental Review under CEQA Guidelines Section 15378(b)(4).

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**

MOTION: Councilmember Melton moved to adjourn.  
The motion died due to lack of a second.

MOTION: Councilmember Smith moved to continue with Councilmember Reports on Activities from Intergovernmental Committee Assignments.  
The motion died due to lack of a second.

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

None.

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

**-Council**

None.

**-City Manager**

None.

#### **INFORMATION ONLY REPORTS/ITEMS**

- [17-0329](#) Tentative Council Meeting Agenda Calendar
- [17-0494](#) Information/Action Items
- [17-0569](#) Notice of Public Works Director's Decision on Final Maps  
(Information Only)
- [17-0574](#) Board/Commission Resignation (Information Only)
- [17-0080](#) Board/Commission Meeting Minutes

**ADJOURNMENT**

Mayor Hendricks adjourned the meeting at 11:44 p.m.