



# City of Sunnyvale

## Meeting Minutes City Council

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Tuesday, August 9, 2016

5:00 PM

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

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**Special Meeting: Study Session-5 PM | Joint Study Session with Planning  
Commission-6 PM | Regular Meeting-7 PM**

### **5 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 5:02 p.m. in the West Conference Room.

#### **2 Roll Call**

**Present:** 6 - Mayor Glenn Hendricks  
Vice Mayor Gustav Larsson  
Councilmember Jim Griffith  
Councilmember Tara Martin-Milius  
Councilmember Pat Meyering  
Councilmember Jim Davis

#### **3 Public Comment**

#### **4 Study Session**

[16-0427](#) Civic Center Modernization Master Plan Update

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

Vice Mayor Larsson adjourned the meeting at 6:05 p.m.

### **6 P.M. SPECIAL COUNCIL MEETING (Joint Study Session with Planning Commission)**

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

Vice Mayor Larsson called the meeting to order at 6:05 p.m. in the West Conference Room. The meeting was relocated to the Council Chambers.

#### **2 Roll Call**

**Present:** 6 - Mayor Glenn Hendricks  
Vice Mayor Gustav Larsson  
Councilmember Jim Griffith  
Councilmember Tara Martin-Milius  
Councilmember Pat Meyering  
Councilmember Jim Davis

Councilmember Meyering arrived at 6:23 p.m.

Planning Commission:

**Present:** 4 - Chair Harrison  
Commissioner Klein  
Commissioner Melton  
Commissioner Weiss

**Absent:** 3 - Vice Chair Rheaume  
Commissioner Olevson  
Commissioner Simons

**3 Public Comment**

**4 Joint Study Session**

[16-0617](#) Peery Park Specific Plan

**5 Adjourn Special Meeting**

Vice Mayor Larsson adjourned the meeting at 6:54 p.m.

**7 P.M. COUNCIL MEETING**

**CALL TO ORDER**

Mayor Hendricks called the meeting to order in Council Chambers.

**SALUTE TO THE FLAG**

Mayor Hendricks led the salute to the flag.

**ROLL CALL**

**Present:** 6 - Mayor Glenn Hendricks  
Vice Mayor Gustav Larsson  
Councilmember Jim Griffith  
Councilmember Tara Martin-Milius  
Councilmember Pat Meyering  
Councilmember Jim Davis

## **PRESENTATION**

[16-0686](#) County Presentation - New Cold Weather Shelter Facility at 999 Hamlin Court, Sunnyvale (Information Only)

Bob Dolci, Housing and Homeless Concerns Coordinator, provided a report and PowerPoint presentation. Director of Public Works Manuel Pineda provided additional information.

## **ORAL COMMUNICATIONS**

Mayor Hendricks stated school starts next Monday and reminded everyone to drive carefully.

Councilmember Griffith announced Board and Commission vacancies and an upcoming application deadline.

Ron Banks spoke in support of rent control or stabilization for mobile home parks.

## **CONSENT CALENDAR**

Councilmember Meyering pulled Consent Calendar Items 1.A, 1.B and 1.C.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Consent Calendar Item 1.D.

The motion carried by the following vote:

**Yes:** 6 - Mayor Hendricks  
Vice Mayor Larsson  
Councilmember Griffith  
Councilmember Martin-Milius  
Councilmember Meyering  
Councilmember Davis

**No:** 0

**1.A** [16-0763](#) Approve City Council Meeting Minutes of July 26, 2016

Public Hearing opened at 9:16 p.m.

No speakers.

Public Hearing closed at 9:16 p.m.

MOTION: Councilmember Meyering moved to amend the minutes beginning on page 2 regarding item 16-0741 to indicate that the topics discussed during the meeting included housing in Sunnyvale, the Climate Action Plan, 2020 emissions reductions, and City technology and software applications to respond to public requests for documents.

The motion died due to lack of a second.

MOTION: Councilmember Meyering moved to amend the minutes on page 5, Item 1.A, to state that Mayor Hendricks said he was allowing a conditional speaker card for Mr. Melton where Mr. Melton wished to speak only if Meyering spoke on the item.

The motion died due to lack of a second.

MOTION: Councilmember Meyering moved to deny the minutes until a summary of the positions expressed by dissenting votes are included.

The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve the City Council Meeting Minutes of July 26, 2016 as submitted.

The motion carried by the following vote:

**Yes:** 5 - Mayor Hendricks  
Vice Mayor Larsson  
Councilmember Griffith  
Councilmember Martin-Milius  
Councilmember Davis

**No:** 1 - Councilmember Meyering

**1.B**      [16-0729](#)      Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Public Hearing opened at 9:16 p.m.

No speakers.

Public Hearing closed at 9:16 p.m.

MOTION: Councilmember Meyering moved to deny payment of the claims until

Councilmembers are provided copies of bills upon request.  
The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve the list(s) of claims and bills.

The motion carried by the following vote:

- Yes:** 5 - Mayor Hendricks  
Vice Mayor Larsson  
Councilmember Griffith  
Councilmember Martin-Milius  
Councilmember Davis
- No:** 1 - Councilmember Meyering

**1.C**     [16-0764](#)     Amend the Employment Agreement between the City of Sunnyvale and City Attorney John A. Nagel

Prior to consideration of this item, City Attorney John Nagel left the room.

Public Hearing opened at 7:30 p.m.  
No speakers.  
Public Hearing closed at 7:30 p.m.

MOTION: Councilmember Davis moved and Councilmember Griffith seconded the motion to approve increasing the City Attorney's salary to 97.06% of the control point for an annual salary of \$216,122 effective July 17, 2016.

The motion carried by the following vote:

- Yes:** 5 - Mayor Hendricks  
Vice Mayor Larsson  
Councilmember Griffith  
Councilmember Martin-Milius  
Councilmember Davis
- No:** 1 - Councilmember Meyering

Following action on Item 1.C, City Attorney Nagel returned to the room.

**1.D**     [16-0723](#)     Approve Restated Silicon Valley Regional Interoperability Authority Joint Powers Agreement to Accommodate Santa

## Clara Valley Transportation Authority as an Additional Member

Authorize the City Manager to execute the Restated Joint Powers Agreement for the Silicon Valley Regional Interoperability Authority Joint Powers Agreement to Accommodate Santa Clara Valley Transportation Authority as an Additional Member.

**PUBLIC HEARINGS/GENERAL BUSINESS**

- 2      [16-0783](#)      Adopt a Resolution Confirming the Report and Assessment List for Unpaid Administrative Citations to be Placed on the FY 2016/17 County of Santa Clara Property Tax Roll (Continued from July 26, 2016)

Director of Finance Tim Kirby provided the staff report. Neighborhood Preservation Manager Christy Gunvalsen, City Attorney Nagel and City Manager Deanna Santana provided additional information.

Public Hearing opened at 7:43 p.m.

George Sarkisian provided information regarding code enforcement issues.

Public Hearing closed at 7:48 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve Alternative 1: Adopt a resolution confirming the Report and Assessment List for unpaid administrative fines to be placed on the FY 2016/17 County of Santa Clara Property Tax Roll.

AMENDMENT: Councilmember Meyering moved to amend the motion to include a requirement that the items not be placed on the property tax roll until after the City obtains a Superior Court judgment against the claimed obligor. The motion died due to a lack of second.

The main motion carried by the following vote:

**Yes:** 5 - Mayor Hendricks  
Vice Mayor Larsson  
Councilmember Griffith  
Councilmember Martin-Milius  
Councilmember Davis

**No:** 1 - Councilmember Meyering

- 3      [16-0769](#)      File #: 2016-7234

Location: 657-661 Vanderbilt Drive (APNs 202-07-001 through 202-07-002), 1188-1197 East Vanderbilt Court (202-07-003 through 202-07-008), 1190-1199 West Vanderbilt Court (202-07-009 through 202-07-014 ), 1176-1198 Hollenbeck (202-07-015 through 202-07-021), 1156-1168 Regia (202-07-22 through 202-07-028), 1154 -1170 Ribier (202-07-029 through 202-07-036), 662 Torrington (202-07-037) 1153-1193 Sesame (202-07-038 through 202-07-045)

Zoning: R-1

Proposed Project: Introduction of Ordinance to Rezone 45 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)

Applicant / Owner: John Sullivan (plus multiple owners)

Environmental Review: The Ordinance being considered is categorically exempt from review pursuant to CEQA

Guidelines Section 15305 (minor alteration in land use) and Section 15061(b)(3) (a general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA).

Mayor Hendricks announced he lives in an Eichler single-story overlay near this neighborhood, and grew up close to the proposed district but he believes he can render an impartial decision on the item.

Director of Community Development Trudi Ryan provided the staff report.

Public Hearing opened at 7:55 p.m.

Michelle Sullivan on behalf of her husband, Applicant John Sullivan, requested approval of the application.

Don Buck spoke in support of a single story overlay rezone.

Joe Ragey spoke in support of approval of the rezone.

Michelle Sullivan on behalf of her husband, Applicant John Sullivan, provided closing remarks.

Public Hearing closed at 8:05 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Alternatives 1 and 2: 1) Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 and 15061b)(3); and, 2) Introduce an Ordinance to Rezone 45 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single Story).

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

**Yes:** 6 - Mayor Hendricks  
Vice Mayor Larsson  
Councilmember Griffith  
Councilmember Martin-Milius  
Councilmember Meyering  
Councilmember Davis

**No:** 0

**4**      [16-0670](#)      Discuss Status and Provide Direction Related to Financing Options for the Silicon Valley Clean Energy Authority (SVCEA)

Regulatory Programs Division Manager Melody Tovar and Director of Finance Tim Kirby provided the staff report. City Manager Deanna Santana and City Attorney Nagel provided additional information.

Public Hearing opened at 8:36 p.m.

No speakers.

Public Hearing closed at 8:36 p.m.

MOTION: Councilmember Martin-Milius moved and Vice Mayor Larsson seconded the motion to approve Alternatives 1 and 2: 1) Provide staff with feedback on the recommended options for supporting SVCEA's financing needs; and 2) Provide direction to City Manager with respect to negotiating an agreement to provide either a direct loan to or loan guaranty for SVCEA.

City Attorney Nagel stated no formal action is necessary but clarified that the general direction of Council is that negotiating a guaranty is the preferred action and the issue of how that might be secured will be brought back to Council.

At the request of Councilmember Meyering, Mayor Hendricks clarified that the motion is Alternatives 1 and 2 with direction that the City Manager might already

have with respect to negotiating an agreement, to provide either a direct loan or a loan guaranty of up to \$1.3 million.

The motion carried by the following vote:

**Yes:** 6 - Mayor Hendricks  
Vice Mayor Larsson  
Councilmember Griffith  
Councilmember Martin-Milius  
Councilmember Meyering  
Councilmember Davis

**No:** 0

- 5**      [16-0766](#)      Introduce an Ordinance to Amend Chapter 19.56 (Alternative Energy Systems) of the Sunnyvale Municipal Code related to the Solar Access Requirements Study Issue (2016-7279), and Find that the Action is Exempt from CEQA

City Manager Santana provided introductory remarks. Principal Planner Amber Blizinski provided the staff report. Director of Community Development Trudi Ryan provided additional information.

Public Hearing opened at 8:58 p.m.

Maria Hamilton spoke in support of Alternative 1 and a study issue regarding a solar input and natural light accessibility ordinance.

Zachary Kaufman suggested a change to the wording of the ordinance in Section 1(a) to include “every adjacent” or “all adjacent properties.”

Public Hearing closed at 9:05 p.m.

**MOTION:** Councilmember Martin-Milius moved and Vice Mayor Larsson seconded the motion to approve Alternative 1: Introduce an Ordinance to Amend Chapter 19.56 (Alternative Energy Systems) of the Sunnyvale Municipal Code related to solar access requirements, as stated and redlined in the materials.

City Clerk Kathleen Franco Simmons read the ordinance title.

The motion carried by the following vote:

**Yes:** 5 - Mayor Hendricks  
Vice Mayor Larsson  
Councilmember Griffith  
Councilmember Martin-Milius  
Councilmember Davis

**No:** 1 - Councilmember Meyering

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

Councilmember Martin-Milius reported her attendance at a meeting of the Executive Committee Silicon Valley Clean Energy Authority.

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

#### **-Council**

Vice Mayor Larsson reported an article in the Mountain View Voice regarding affordable housing in the region.

Councilmember Meyering inquired about Chromium-6 in City water wells. City Manager Santana stated she would respond via the City Manager's Bi-weekly Report.

#### **-City Manager**

City Manager Santana reported her attendance at a meeting with school district superintendents and their interest in reinstating quarterly meetings with Council liaisons.

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

- [16-0760](#) Tentative Council Meeting Agenda Calendar
- [16-0619](#) Information/Action Items
- [16-0765](#) Study Session Summary of June 28, 2016 - Mobile Home Park Policies
- [16-0705](#) Board/Commission Meeting Minutes

### **ADJOURNMENT**

Mayor Hendricks adjourned the meeting at 9:20 p.m.