



City of Sunnyvale

Meeting Minutes - Draft

Sustainability Commission

Monday, March 2, 2015

7:00 PM

Council Chambers, City Hall, 456 W. Olive
Ave., Sunnyvale, CA 94086

CALL TO ORDER

Chair Paton called the meeting to order at 7:00 p.m. in the Council Chambers.

SALUTE TO THE FLAG

Chair Paton led the salute to the flag.

ROLL CALL

Present: 6 - Chair Bruce Paton
Vice Chair Amit Srivastava
Commissioner Gerald Glaser
Commissioner Brian Glazebrook
Commissioner Dan Hafeman
Commissioner Petya Kisyova
Absent: 1 - Commissioner Barbara Fukumoto

Council Liaison-Gustav Larsson (present)

Commissioner Fukumoto's absence is excused.

PUBLIC ANNOUNCEMENTS

Misuk Park, Event Manager at Full Circle Farm, provided information and invited the Commission to the upcoming Earth Day events at Charles Street Garden on April 18, 2015 and Full Circle Farm on April 19, 2015. There are many sustainability and education focused activities planned including encouraging children to "Eat the Rainbow" and the group is looking for volunteers interested in helping with the events.

CONSENT CALENDAR

1 [15-0263](#) Draft Minutes of the Sustainability Commission Meeting of
January 26, 2015

Commissioner Glaser moved, and Vice-Chair Srivastava seconded, a motion to approve the consent calendar. The motion carried with the following vote:

Yes: 5 - Chair Paton
Vice Chair Srivastava
Commissioner Glaser
Commissioner Glazebrook
Commissioner Kisyova

No: 0

Absent: 1 - Commissioner Fukumoto

Abstain: 1 - Commissioner Hafeman

PUBLIC COMMENTS

None.

PUBLIC HEARINGS/GENERAL BUSINESS

2 [15-0169](#) Leaf Blower Study and Findings (Study Issue ESD 14-01)

Melody Tovar, Regulatory Programs Manager, provided a brief overview of the study and the staff recommendations.

Commissioner Srivastava clarified the intent of Alternative 1 and Alternative 2.

Commissioner Hafeman asked staff about the objectives of the public education approach. Staff clarified the public education campaign is intended to increase awareness of the current municipal code regulations related to leaf blowers because many community members were unaware of the current time of use and noise restrictions. Furthermore, staff indicated that some for the issues raised by the community could be addressed through education of the users on best practices such as not blowing around compacted dirt areas, not using the engine on full throttle at all times, and not blowing materials into the public right of way without collecting it.

Commissioner Kisyova stated that Alternative 1 would be more effective.

Commissioner Hafeman stated that a ban on gas blowers to be reasonable and that use of brooms and rakes in residential areas was sufficient for maintaining homes and yards.

Chair Paton opened the Public Hearing.

Nancy Garcia, a resident, spoke in support of actions to restrict leaf blowers as blowers create noise and air pollution. Ms. Garcia shared that she is very sensitive

to noise and that the noise pollution caused by blowers is really bad and making the neighborhoods sound like industrial factories.

Steve Pavlina, an owner and manager of multi-family properties in Sunnyvale, spoke of the lack of power of electric leaf blower engines compared to gas powered engines in leaf blowers and that his employees would not be able to maintain the properties to the same level within the same amount time with electric blowers or brooms and rakes. Mr. Pavlina also shared that multi-family properties are located adjacent to single family homes in residential zones and that banning gas or all blowers would lead to a dirtier community and unsafe city.

Peter Cirigliano, a Sunnyvale homeowner, expressed his concern that a ban of leaf blowers is potential over reaching of government, that there is other equipment such as lawn mowers or jet skis that also use two-cycle engines that are not being addressed, and that a ban would disproportionately impact independent landscapers. Mr. Cirigliano stated that he did not support a leaf blower ban but could support education on best practices and current restrictions as recommended by staff.

Julia Miller, former Mayor and Council member, shared that she took this issue on in 1998 and 1999 and asked that a folder of newspaper clippings from that period be shared with the Commission, the Parks and Recreation Commission, and the City Council. Ms. Miller stated that Commission needed to consider how any action it would recommend would be enforced because what was voted on and adopted by Council back then didn't happen. Ms Miller stated that the Council had set hour restrictions, decibel limits, and included other items to address the noise issue caused by leaf blowers as part of the noise ordinance.

Chair Paton closed the public hearing.

Commissioner Glaser moved, and Commissioner Hafeman seconded, a motion that the Commission recommend that the City Council approve Alternative 1: Direct staff to prepare an ordinance modifying Chapter 19.42.030 of the Municipal Code to ban all leaf blowers in residential zones and to direct staff to conduct public education necessary to support the ban.

Commissioner Glaser advanced this motion for several reasons including that from his professional experience 65 dB is loud and in his talks with community members about leaf blowers their primary concerns were related to the noise and the dust and dirt that is blown about by leaf blowers.

Commissioner Hafeman believes that brooms and rakes are effective tools and a full ban would create a level playing field and would not create hardships for landscapers. Commissioner Hafeman stated that the public wants this and that even if the greenhouse gas emissions are not significant, this is a good place to start. Commissioner Hafeman further stated that a ban would be much easier to enforce than the noise limits.

Commissioner Glazebrook raised that not all electric blowers meet the current noise level specified in the municipal code and supports starting with the education approach prior to implementing a ban because technology needed to meet the current code and needs of the user is not readily available on the market. There are current time of use restrictions and noise restrictions that are not well known. Commissioner Glazebrook also stated that leaf blower use can contribute to stormwater issues such as blowing of leaves and debris into streets which can clog storm inlets and that public education is important to address these impacts as well.

Commissioner Kisyova proposed a friendly amendment to the motion, which was not accepted, to include time of use restrictions and address commercial areas. Commissioner Glaser did not accept the friendly amendment because the issues regarding dust and dirt are not as prevalent on commercial properties because they are larger and have a buffer and that action in residential zones address the main concerns of community members.

Commissioner Hafeman proposed a friendly amendment, accepted by Commissioner Glaser, to phase-in the ban over a period of year and half with public education to start immediately to prepare for the ban.

The motion carried by the following vote:

Yes: 4 - Chair Paton
Commissioner Glaser
Commissioner Hafeman
Commissioner Kisyova

No: 2 - Vice Chair Srivastava
Commissioner Glazebrook

Absent: 1 - Commissioner Fukumoto

3 [15-0170](#) Annual Review of Code of Ethics and Conduct for Elected and Appointed Officials

Commissioners discussed the Code of Ethics and Conduct for Elected and

Appointed Officials. Commissioner Glaser commented that the section related to interaction with staff should be clarified to allow for direct contact with staff at some level without having to go through the City Manager first.

No action was taken.

4 [15-0264](#) Discussion of the Commission's Strategic Direction

Commissioners continued the discussion about setting priority themes to guide the Commission's work plan for the year. The Commissioners agreed to provide a list of strategic topic areas to the Commission Liaison by March 9, 2015 and the list would be reviewed and prioritized at the next meeting.

No action was taken.

NON-AGENDA ITEMS & COMMENTS

-Commissioner Comments

Commissioner Glaser wanted to clarify that his motion on the Leaf Blower Study did not address municipal use of leaf blowers and that it would be great if the City did not use leaf blowers in parks and demonstrated leadership on this issue.

Commissioner Glaser shared that City of Mountain continues to expand on the free community shuttle service. Commissioner Glaser also commented that the Bus Rapid Transit (BRT) proposal goals include a future where vehicles become an optional mode of transportation not the primary mode.

Commissioner Srivastava stated the rationale for his vote on the Leaf Blower Study is based on the fact that there are communities with leaf blower bans that are not being enforced and he believes that the City should look for a constructive way to educate the community about the existing time of use and noise restriction to improve compliance rather than creating more ordinances that are not being enforced. Commissioner Srivastava commented that the mode of transportation along El Camino will need to change over the next 20-30 years.

Commissioner Hafeman commented that the mixed flow bulb outs proposed on El Camino as part of BRT will make bike lanes there infeasible and shared concerns that developing El Camino as high density housing will add more residents that will add to the vehicle congestion unless there are more transportation options.

Commissioner Kisyova shared information about an upcoming Water Conservation Showcase in San Francisco.

Commissioner Glazebrook reported that the CCE business forum that was held in

January was very successful and that he is in discussions with Joint Venture Silicon Valley and Business for Clean Energy about a follow-up session.

-Staff Comments

Melody Tovar reported that the staff report on CCE would likely be coming to the Commission on April 20, 2015 and reported on several study milestones including finalization of the cost sharing agreements with the study partners, selection of study consultants, and formation of a Mayors' Task Force including the mayors from Sunnyvale, Cupertino, and Mountain View and a delegate from Supervisor Cortese's Office.

ADJOURNMENT

The meeting was adjourned at 9:18 p.m.