



City of Sunnyvale

Meeting Minutes - Draft City Council

Tuesday, June 14, 2016

5:00 PM

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

Special Meeting: Closed Session-5 PM | Regular Meeting-7 PM

5 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 5 p.m.

2 Roll Call

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

3 Public Comment

None.

4 Convene to Closed Session

[16-0580](#)

Closed Session held pursuant to California Government Code
Section 54957.6: CONFERENCE WITH LABOR
NEGOTIATORS

Agency designated representatives: Teri Silva, Director of
Human Resources; Deanna J. Santana, City Manager
Employee organization: Public Safety Officers Association
(PSOA)

Employee organization: Sunnyvale Employees Association
(SEA)

Unrepresented Employees

5 Adjourn Special Meeting

Vice Mayor Larsson adjourned the meeting at 6:45 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.

Mayor Hendricks announced the meeting will be closed in honor of the memory of Former Mayor Ron Gonzales' mother.

Mayor Hendricks held a moment of silence in honor of the victims of the Pulse Nightclub tragedy in Orlando.

ROLL CALL

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

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; nothing to report.

SPECIAL ORDER OF THE DAY

[16-0586](#) SPECIAL ORDER OF THE DAY - Recognition of National Flag Day

Mayor Hendricks proclaimed June 14, 2016 National Flag Day.

ORAL COMMUNICATIONS

Daniela Richey spoke regarding evictions of residents of 64 units at Castlemont Garden Apartments and the inaccessibility of affordable housing in Sunnyvale, and provided written materials.

Sandy Perry, Affordable Housing Network of Santa Clara County, spoke regarding the evictions at Castlemont Garden Apartments and the need for affordable housing.

Marsha Stanton spoke in support of Daniela Richey and expressed concerns regarding the inadequacy of the amount of the relocation allowance offered by Prometheus. Stanton requested Council consider delaying construction until a fair relocation amount can be negotiated.

Phyllis Freeman requested that when new buildings are to be built in Sunnyvale, the information be posted on the City website. Freeman expressed concerns regarding high rents in Sunnyvale.

Marsha Marciano spoke regarding the difficulty of affordable housing for seniors.

CONSENT CALENDAR

Councilmember Meyering requested to pull Items 1.A, 1.B, 1.C, 1.G, 1.J, 1.K and 1.M, and requested to record a No vote on Items 1.N and 1.O.

Councilmember Griffith requested to record an abstention on Item 1.N due to a conflict of interest.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milus seconded the motion to approve Consent Calendar Items 1.D, 1.E, 1.F, 1.H, 1.I, 1.L, 1.N and 1.O.

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 [16-0494](#) Approve City Council Meeting Minutes of May 17, 2016

Public Hearing opened at 10:04 p.m.

No speakers.

Public Hearing closed at 10:04 p.m.

MOTION: Councilmember Meyering moved to deny approval of the minutes until a summary of the positions expressed by dissenting votes is included.
The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve the City Council Meeting Minutes of May 17, 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 [16-0058](#) Approve City Council Special Meeting Minutes of May 26, 2016

Public Hearing opened at 10:04 p.m.
No speakers.
Public Hearing closed at 10:04 p.m.

MOTION: Councilmember Meyering moved to deny approval of the minutes until a summary of the positions expressed by dissenting votes is included.
The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve the City Council Meeting Minutes of May 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.C [16-0497](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Public Hearing opened at 10:05 p.m.

No speakers.

Public Hearing closed at 10:05 p.m.

MOTION: Councilmember Meyering moved to deny payments of the claims until Councilmembers are provided with 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.D [16-0442](#) Consent to Ownership Transfer of Affordable Rental Project Located at 183 Acalanes Drive ("Eight Trees") and Assignment and Assumption of City Loans and Authorize the City Manager to execute a new loan agreement in the amount of \$600,000

1) Consent to the Title Transfer, Assignment and Assumption of City Loans on 183 Acalanes Drive from HomeFirst SCC, Inc. to MP Eight Trees LLC and authorize the City Manager to execute documents necessary to indicate the City's consent; and
2) Approve a new loan of \$600,000 in Housing Mitigation Funds to MP Eight Trees LLC for urgent repairs following close of escrow and authorize the City Manager to execute a loan agreement and any other document required to facilitate the escrow transaction, in final form approved by the City Attorney.

1.E [16-0488](#) Award of Contract for a Body-worn Camera Solution (F16-44)

Award and authorize the City Manager to execute a five year contract with Taser International, Inc. in the amount of \$1,496,956 in substantially the same form as Attachment 1 to the report, to provide a body worn camera solution including software, unlimited digital evidence storage, and conducted electrical weapons.

1.F [16-0489](#) Authorize the Extension of Contracts for Central Labor Council Partnership and JobTrain for Adult Workforce Development and Award Funding for Services through June 30, 2017

Authorize the City Manager to execute modifications to the Agreements with Central Labor Council Partnership and JobTrain for adult workforce development services to extend the terms of the agreements through June 30, 2017 and award additional funding in the amount of \$1,000,000 to Central Labor Council Partnership for a total new contract amount of \$1,964,589 and in the amount of \$315,000 to JobTrain for a total new contract amount of \$693,880.

1.G [16-0472](#) Award of Contract for the Repair of Dual Media Filters at the Water Pollution Control Plant (F16-103)

Public Hearing opened at 10:06 p.m.

No speakers.

Public Hearing closed at 10:06 p.m.

MOTION: Councilmember Meyering moved to deny the 10% contingency.
The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to 1) Award a contract, in substantially the same form as Attachment 2 to the report and in an amount not to exceed \$347,672 to ERS Industrial, Inc. for the repair of Dual Media Filters at the Water Pollution Control Plant and; 2) Approve a 10% contract contingency in the amount of \$34,767.

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.H [16-0490](#) Approve the Fiscal Year (FY) 2016/17 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 2016/17, and Set the Date of July 26, 2016 for the Public Hearing on the Proposed Assessment

Approve the Fiscal Year (FY) 2016/17 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 2016/17, and set the date of July 26, 2016 for the public hearing on the levy of the

proposed Assessment.

- 1.I** [16-0532](#) Approve Budget Modification No. 36 to Appropriate \$44,318 of Santa Clara County EMS Data Hardware Funding Grant Funds to an existing project (EMS Patient Data Care System)

Approve Budget Modification No. 36, which will (1) appropriate Santa Clara County EMS Agency Data Hardware Funding Grant funds in the amount of \$24,298 to an existing project, 830660 EMS Patient Data Care System; and (2) appropriate funds received from the same agency in FY 2013/14 in the amount of \$20,020 currently in the Budget Stabilization Fund to an existing project, 830660 EMS Patient Data Care System.

- 1.J** [16-0221](#) Adopt a Resolution Amending the City's Salary Resolution to Increase the Pay Scale of the Casual Employee Classification for Consistency with the City's Local Minimum Wage, Effective July 1, 2016, January 1, 2017 and January 1, 2018

Public Hearing opened at 10:08 p.m.

No speakers.

Public Hearing closed at 10:08 p.m.

MOTION: Councilmember Meyering moved and Vice Mayor Larsson seconded the motion to adopt a Resolution Amending Resolution No. 190 05, the City's Salary Resolution to Increase the Pay Scale of the Casual Employee Classification for Consistency with the City's Local Minimum Wage, Effective July 1, 2016, January 1, 2017 and January 1, 2018.

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.K** [16-0463](#) Adopt a Resolution Authorizing the City Manager to Execute Two Easement Deeds to Pacific Gas and Electric Company (PG&E), and an Easement Deed and Temporary Construction Easement to the Santa Clara Valley Water District (SCVWD) over a Portion of City Owned Parcels in Relation to the Wolfe Road Recycled Water Facilities Project

Public Hearing opened at 10:09 p.m.

No speakers.

Public Hearing closed at 10:09 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to adopt a resolution authorizing the City Manager or designee to Execute Two Easement Deeds to Pacific Gas and Electric Company and an Easement Deed and Temporary Construction Easement to the Santa Clara Valley Water District over a Portion of City Owned Parcels in Relation to the Wolfe Road Recycled Water Facilities Project.

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.L** [16-0590](#) Approve an Agreement between the City of Sunnyvale and the California Theatre Center for Use of City Facilities from September 26, 2016 through May 31, 2017 at a Rental Rate Below Established Rental Fees

Approve agreement and authorize the City Manager to execute the agreement between the City of Sunnyvale and the California Theatre Center for Use of City Facilities from September 26, 2016 through May 31, 2017 in an amount at a rental rate below established rental fees.

- 1.M** [16-0356](#) Adopt a Resolution Calling a General Municipal Election to be Held in the City of Sunnyvale on Tuesday, November 8, 2016 for the Election of Councilmembers to Seat Numbers 4, 5, 6 and 7; Requesting Consolidation with the Statewide General Election; and Election Services from the Santa Clara County Board of Supervisors; Providing Regulations for Candidates' Statements and Determining to Levy Costs of Candidates' Statements

Public Hearing opened at 10:13 p.m.

No speakers.

Public Hearing closed at 10:13 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to adopt a Resolution Calling a General Municipal Election to be Held in the City of Sunnyvale on Tuesday, November 8, 2016 for the Election of Councilmembers to Seat Numbers 4, 5, 6 and 7; Requesting Consolidation with the Statewide General Election and Election Services from the Santa Clara County Board of Supervisors; Providing Regulations for Candidates' Statements and Determining to Levy Costs of Candidates' Statements.

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.N [16-0561](#) Adopt Ordinance No. 3083-16 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone Certain Properties located at 521 East Weddell Drive, 531 East Weddell Drive, and 539 East Weddell Drive from MS-POA (Industrial and Service - Places of Assembly Combining District) to PF (Public Facilities)

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milus seconded the motion to approve Adopt Ordinance No. 3083-16.

The motion carried by the following vote:

Yes: 4 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Martin-Milius
Councilmember Davis

No: 1 - Councilmember Meyering

Abstain: 1 - Councilmember Griffith

1.O [16-0562](#) Adopt Ordinance No. 3084-16 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone Certain Property located at 1010 Morse Avenue (Seven Seas Park) from MS-ITRR3 (Industrial and Service - Industrial to Residential Combining District) to PF (Public Facility)

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Adopt Ordinance No. 3084-16.

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

PUBLIC HEARINGS/GENERAL BUSINESS

2 [16-0083](#) Appoint Applicants to Boards and Commissions

City Clerk Kathleen Franco Simmons conducted paper ballot votes, tallied the votes and reported the results as follows:

ARTS COMMISSION (1 term to 6/30/2017, 1 term to 6/30/2020)

Bunderson, R. Dean (only preference)

VOTE: 1 – 0 – 5 (Affirmative vote by Meyering, Abstentions by Larsson, Hendricks, Griffith, Martin-Milius, and Davis)

Nguyen, Dustin (1st preference)

VOTE: 1 – 0 – 5 (Affirmative vote by Davis, Abstentions by Meyering, Larsson, Hendricks, Griffith, and Martin-Milius)

Vaughan, Susannah (only preference)

VOTE: 6 – 0 – 0 (Affirmative votes by all Councilmembers)

MOTION: Councilmember Griffith moved and Councilmember Davis seconded the motion to appoint Susannah Vaughn to serve the term expiring 6/30/2020.

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

BOARD OF BUILDING CODE APPEALS (1 term to 6/30/2019, 2 terms to 6/30/2020 – may serve concurrently on one additional board or commission)

Grossman, Joshua (1st preference)

VOTE: 6 – 0 – 0 (Affirmative votes by all Councilmembers)

McNutt, Gregory (2nd preference)

VOTE: 6 – 0 – 0 (Affirmative votes by all Councilmembers)

Michitaka, Sachihiko (Mike) (2nd preference)

VOTE: 6 – 0 – 0 (Affirmative votes by all Councilmembers)

MOTION: Councilmember Griffith moved and Vice Mayor Larsson seconded the motion to appoint Joshua Grossman to serve the term expiring 6/30/2019 and Gregory McNutt and Mike Michitaka to serve the terms expiring 6/30/2020.

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

PLANNING COMMISSION (2 terms to 6/30/2020)

Dang, Timothy (1st preference)

VOTE: 1 – 0 – 5 (Affirmative vote by Meyering, Abstentions by Larsson, Hendricks, Griffith, Martin-Milius and Davis)

Holthaus, Melanie (1st preference)

VOTE: 0 – 0 – 6 (Abstentions by all Councilmembers)

Klein, Larry (only preference)

VOTE: 5 – 0 – 1 (Affirmative votes by Larsson, Hendricks, Griffith, Martin-Milius and Davis, Abstention by Meyering)

McNutt, Gregory (1st preference)

VOTE: 0 – 0 – 6 (Abstentions by all Councilmembers)

Melton, Russell (only preference)

VOTE: 5 – 0 – 1 (Affirmative votes by Larsson, Hendricks, Griffith, Martin-Milius and Davis, Abstention by Meyering)

Stetson, Elinor (2nd preference)

VOTE: 1 – 0 – 5 (Affirmative vote by Meyering, Abstentions by Larsson, Hendricks, Griffith, Martin-Milius and Davis)

Thangamuthu, Kandaswamy (Swamy) (2nd preference)

VOTE: 0 – 0 – 6 (Abstentions by all Councilmembers)

Larry Klein and Russell Melton were appointed to the Planning Commission to serve terms expiring 6/30/2020.

SUSTAINABILITY COMMISSION (2 terms to 6/30/2020)

Mukherjee, Abir (Category 1 – only preference)

VOTE: 0 – 0 – 6 (Abstentions by all Councilmembers)

Oey, Timothy (Category 1 – 1st preference)

VOTE: 0 – 0 – 6 (Abstentions by all Councilmembers)

Wickham, Kristel (Category 1 – only preference)

VOTE: 6 – 0 – 0 (Affirmative votes by all Councilmembers)

Woo, Howard (Category 1 – 1st preference)

VOTE: 0 – 0 – 6 (Abstentions by all Councilmembers)

Zornetzer, Steven (Category 1 – only preference)

VOTE: 6 – 0 – 0 (Affirmative votes by all Councilmembers)

Kristel Wickham and Steven Zornetzer were appointed to the Sustainability Commission to serve terms expiring 6/30/2020.

BICYCLE AND PEDESTRIAN ADVISORY COMMISSION (Category 1, 1 term to 6/30/2020)

Oey, Timothy (Category 1 or Category 2 – 2nd preference)

VOTE: 4 – 0 – 2 (Affirmative votes by Larsson, Hendricks, Griffith and Martin-Milius, Abstentions by Meyering and Davis)

Srinivasan, Sridharan (Category 1 – 1st preference)

VOTE: 1 – 0 – 5 (Affirmative vote by Meyering, Abstentions by Larsson, Hendricks, Griffith, Martin-Milius and Davis)

Timothy Oey was appointed to the Bicycle and Pedestrian Commission – Category 1 to serve a term expiring 6/30/2020.

BICYCLE AND PEDESTRIAN ADVISORY COMMISSION (Category 2, 1 term to 6/30/2020)

Jackson, Kevin (Category 2 – only preference)

VOTE: 6 – 0 – 0 (Affirmative votes by all Councilmembers)

Oey, Timothy (Category 1 or Category 2 – 2nd preference)

VOTE: 1 – 0 – 5 (Affirmative vote by Larsson, Abstentions by Meyering, Hendricks, Griffith, Martin-Milius and Davis)

Kevin Jackson was appointed to the Bicycle and Pedestrian Commission – Category 2 to serve a term expiring 6/30/2020.

BOARD OF LIBRARY TRUSTEES (2 terms to 6/30/2020)

Bremond, Daniel (only preference)

VOTE: 6 – 0 – 0 (Affirmative votes by all Councilmembers)

Dang, Timothy (2nd preference)

VOTE: 2 – 0 – 4 (Affirmative votes by Meyering and Hendricks, Abstentions by Larsson, Griffith, Martin-Milius and Davis)

Hwang, Tina (only preference)

VOTE: 4 – 0 – 2 (Affirmative votes by Meyering, Larsson, Griffith and Martin-Milius, Abstentions by Hendricks and Davis)

Nguyen, Dustin (2nd preference)

VOTE: 0 – 0 – 6 (Abstentions by all Councilmembers)

Thangamuthu, Kandaswamy (Swamy) (1st preference)

VOTE: 0 – 0 – 6 (Abstentions by all Councilmembers)

Vaidyanathan, Sekari (only preference)

VOTE: 2 – 0 – 4 (Affirmative votes by Meyering and Davis, Abstentions by Larsson, Hendricks, Griffith and Martin-Milius)

Woo, Howard (2nd preference)

VOTE: 0 – 0 – 6 (Abstentions by all Councilmembers)

Daniel Bremond and Tina Hwang were appointed to the Board of Library Trustees to serve terms expiring 6/30/2020.

HOUSING AND HUMAN SERVICES COMMISSION (2 terms to 6/30/2020)

Grossman, Joshua (2nd preference)

VOTE: 5 – 0 – 1 (Affirmative votes by Larsson, Hendricks, Griffith, Martin-Milius and Davis, Abstention by Meyering)

Hall, Greg (only preference)

VOTE: 0 – 0 – 6 (Abstentions by all Councilmembers)

Holthaus, Melanie (2nd preference)

VOTE: 1 – 0 – 5 (Affirmative vote by Meyering, Abstentions by Larsson, Hendricks, Griffith, Martin-Milius and Davis)

Stetson, Elinor (1st preference)

VOTE: 6 – 0 – 0 (Affirmative votes by all Councilmembers)

Joshua Grossman and Elinor Stetson were appointed to the Housing and Human Services Commission to serve terms expiring 6/30/2020.

PARKS AND RECREATION COMMISSION (1 term to 6/30/2020)

Alexander III, Henry (only preference)

VOTE: 6 – 0 – 0 (Affirmative votes by all Councilmembers)

Henry Alexander III was appointed to the Parks and Recreation Commission to serve a term expiring 6/30/2020.

HERITAGE PRESERVATION COMMISSION (2 terms to 6/30/2020)

Holthaus, Melanie (3rd preference)

VOTE: 1 – 0 – 5 (Affirmative vote by Meyering, Abstentions by Larsson, Hendricks, Griffith, Martin-Milius and Davis)

Michitaka, Sachihiko (Mike) (1st preference)

VOTE: 6 – 0 – 0 (Affirmative votes by all Councilmembers)

Mike Michitaka was appointed to the Heritage Preservation Commission to serve a term expiring 6/30/2020.

PERSONNEL BOARD (Council Nominated Seat, 1 term to 6/30/2019)

Dang, Timothy (3rd preference)

VOTE: 1 – 0 – 5 (Affirmative vote by Meyering, Abstentions by Larsson, Hendricks, Griffith, Martin-Milius and Davis)

Schmidt, Barbara (only preference)

VOTE: 5 – 0 – 1 (Affirmative votes by Larsson, Hendricks, Griffith, Martin-Milius and Davis, Abstention by Meyering)

Srinivasan, Sridharan (2nd preference)

VOTE: 0 – 0 – 6 (Abstentions by all Councilmembers)

Barbara Schmidt was appointed to the Personnel Board in the Council-Nominated Seat to serve a term expiring 6/30/2019.

- 3** [16-0397](#) Adopt a Resolution to Cause Charges for Non-Payment of Delinquent Utility Charges to be placed on the FY 2016/17 County of Santa Clara Property Tax Roll

Director of Finance Tim Kirby provided the staff report and distributed a revised attachment to reflect one payment that was received.

Public Hearing opened at 7:29 p.m.

No speakers.

Public Hearing closed at 7:29 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Davis 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 2016/17 County of Santa Clara Property Tax Roll, using the revised list of delinquent accounts distributed on the dais.

AMENDMENT: Councilmember Meyering moved to amend the motion to require that the accounts only be placed on the County tax roll after a court judgment. The motion to amend died due to lack of a second.

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

- 4** [16-0135](#) Annual Public Hearing on FY 2016/17 Budget and Resource Allocation Plan and Establishment of Appropriations Limit

Director of Finance Tim Kirby provided the staff report.

Public Hearing opened at 7:34 p.m.

No speakers.

Public Hearing closed at 7:34 p.m.

No action taken.

- 5** [16-0136](#) Annual Review of Proposed Fees and Charges for Fiscal Year 2016/17

Director of Finance Tim Kirby provided the staff report. Finance Manager Karen Miller and Director of Public Works Manuel Pineda provided additional information.

Public Hearing opened at 7:40 p.m.

No speakers.

Public Hearing closed at 7:40 p.m.

No action taken.

Following consideration of Item 5, City Clerk Kathleen Franco Simmons read the results of Ballot 1 for Item 2, Board and Commission Appointments. Council proceeded to vote on Ballot 2 and passed their ballots to the City Clerk to be tallied.

- 6** [16-0556](#) File #: 2015-7275
Location: 1111 Lockheed Martin Way (APNs: 110-01-036 and 110-01-038)
Proposed Project: Discussion and possible actions on:
MAJOR MOFFETT PARK SPECIAL DEVELOPMENT

PERMIT to demolish existing buildings and construct five eight-story buildings, two four-story parking structures, one-five-story parking structure and a two-story amenities building resulting in approximately 1.65 million square feet of office use.

DEVELOPMENT AGREEMENT Introduction of an Ordinance Approving and Adopting a Development Agreement between the City of Sunnyvale and MT II LLC (Jay Paul Company) Environmental Review: A Subsequent Environmental Impact Report (SEIR) has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines.

Applicant / Owner: MT II, LLC (Jay Paul Company)

Mayor Hendricks provided comments regarding statements made by a Councilmember regarding the project. Mayor Hendricks asked Councilmember Meyering to recuse himself from voting on the CEQA and SVP portion of the item.

Councilmember Meyering declined to recuse himself.

Mayor Hendricks stated it is the City's position that Councilmember Meyering should be recusing himself.

Community Development Director Trudi Ryan provided the staff report. Director of Public Works Manuel Pineda provided additional information.

Public Hearing opened at 8:26 p.m.

Applicant Jay Paul provided information about the project. Architect Tom Gilman, DES Architects, provided additional information.

Susan Kariya expressed concerns regarding the legacy being left and regarding the impacts of new office towers on parking and traffic on Wolfe and Mathilda, and increased unaffordable housing rental prices.

Lynn Relyea expressed concern regarding overdevelopment without infrastructure and regarding the traffic demand management program.

Sue Muller-Robb spoke in opposition to the project citing inadequate infrastructure for traffic, parking and bicycle safety, and spoke regarding sewer odors in the area, lack of affordable housing and income disparity.

Charles Cegelski spoke regarding the inadequacy of traffic infrastructure, citing the inability to safely enter and exit the Orchard Gardens Park neighborhood.

David Wessel spoke regarding housing unaffordability related to the 9,000 jobs that will bring in people from outside the city. Wessel expressed concerns regarding the additional impacts to air quality and stated the city needs to address jobs/housing inequality.

John Cordes requested no approval of Alternative 1 and the Special Development Permit, citing increased traffic. Cordes stated the need to change processes for large development to prevent increasing greenhouse gasses and increased traffic, and stated the importance of charging appropriate traffic impact fees to support projects.

Dave Jones expressed concerns regarding planning for transportation demand management and stated eight intersections will be significantly impacted by traffic, and expressed concerns regarding notification of consideration of the project.

Peter Cirigliano spoke in support of the design of the project and provided comments regarding a letter to the editor by a Councilmember.

Applicant Jay Paul provided closing comments. Architect Tom Gilman responded to comments made by members of the public.

Public Hearing closed at 9:06 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve Alternatives 1, 2, and 5: 1) Make the Findings required by CEQA, Adopt a Statement of Overriding Considerations and Mitigation Monitoring Program as contained in Attachment 8 of the report; 2) Approve the Major Moffett Park Special Development Permit as indicated in the Site and Architectural Plans in Attachment 7 of the report, Findings of Approval in Attachment 3 of the report and Conditions of Approval in Attachment 4 of the report; and, 5) Introduce an ordinance approving and adopting a Development Agreement between the City of Sunnyvale and MT II, LLC (Jay Paul Company) as contained in findings for approval in Attachment 5 of the report and Draft Ordinance in Attachment 6 of the report.

AMENDMENT: Councilmember Meyering moved to amend the motion to change the development agreement to require that the property owner purchase and provide for free to all employees at the new buildings annual transit passes for the

Santa Clara Valley Transportation Authority Express Bus Service for Light Rail and Caltrain.

The motion to amend died due to lack of a second.

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

Following action on Item 6, City Clerk Kathleen Franco Simmons read the results of Ballot 2 for Item 2, Board and Commission Appointments. Council proceeded to vote on Ballot 3 and passed their ballots to the City Clerk to be tallied.

7 [16-0364](#) Adopt a Resolution Calling a General Municipal Election to be Held in the City of Sunnyvale on Tuesday, November 8, 2016, for the Purpose of Submitting to City Voters an Initiative Ordinance to Require Voter Approval for Any Sale, Lease, Lease Extension, Lease Renewal, Land Swap or Transfer of Property Owned, Leased Or Used by the City as a Public Park or Community Service Amenity (The "Public Lands For Public Use Act"); Requesting Consolidation with the Statewide General Election and Election Services from Santa Clara County; Directing the City Attorney to Prepare an Impartial Analysis; and Setting Priorities for Ballot Arguments

City Clerk Kathleen Franco Simmons provided the staff report. City Attorney John Nagel provided additional information.

Public Hearing opened at 9:50 p.m.

No speakers.

Public Hearing closed at 9:50 p.m.

MOTION: Councilmember Griffith moved and Vice Mayor Larsson seconded the motion to direct the City Attorney to bring the item back at a time at his convenience, before the deadline, with proposed changes to the 75 words that

were drafted to make it more clear that this would potentially apply to both leases from and leases to other parties.

AMENDMENT: Councilmember Meyering moved to amend the motion to include a requirement that the City Attorney get input from the original group that gathered the signatures with regard to any word changes.

The motion to amend died due to lack of a second.

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

8 [16-0386](#) Adopt a Resolution Approving an Exception to the CalPERS 180-Day Waiting Period and Interim Appointment of David Jensen to the Director of Information Technology Position

Director of Human Resources Teri Silva provided the staff report.

Public Hearing opened at 9:59 p.m.

No speakers.

Public Hearing closed at 9:59 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to approve Alternative 1: Adopt a resolution approving the exception to the CalPERS 180 day waiting period and interim appointment of David Jensen to the Director of Information Technology position (Government Code Sections 21221(h), 21224 and 7522.56).

AMENDMENT: Councilmember Meyering moved to amend the motion to include a requirement that no overtime hours can be worked.

The motion to amend died due to lack of a second.

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 8, City Clerk Kathleen Franco Simmons read the results of Ballot 3 for Item 2, Board and Commission Appointments. Council resumed with the remaining items pulled from the Consent Calendar.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Davis reported his attendance at a meeting of the Association of Bay Area Governments in which funding from the Metropolitan Transportation Commission was discussed.

Councilmember Griffith reported his attendance at a meeting of the Santa Clara County Cities Association in which the association voted to recommend a regional minimum wage of \$15 by 2019.

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

Mayor Hendricks reported his attendance at a VTA Board meeting in which the Board unanimously approved putting a ½ cent sales tax increase measure on the ballot for transit infrastructure.

NON-AGENDA ITEMS & COMMENTS

-Council

Vice Mayor Larsson reported he judged a high school hack-a-thon at Microsoft's Sunnyvale campus, and presented an award to two individuals who coded a chatbot for access to the Library catalog.

Councilmember Davis reported a traffic accident in San Jose which resulted in the loss of a San Jose motorcycle police officer.

Councilmember Meyering inquired as to whether the June 21 3 p.m. Council meeting would be televised; inquired about the direction given to board and

commission members by staff liaisons forwarding emails; and inquired about the City's policy regarding play structures on shared park area which is school property but able to be used by residents after hours.

-City Manager

City Manager Santana stated the June 21 Council meeting will begin at 3 p.m. and reported an upcoming study session with VTA on July 12 regarding the Next Network project. Santana stated she will work with the Mayor on the follow up for the June 13 County meeting regarding the Cold Weather shelter.

INFORMATION ONLY REPORTS/ITEMS

- | | |
|--------------------------------|--|
| <u>16-0404</u> | Tentative Council Meeting Agenda Calendar |
| <u>16-0384</u> | Information/Action Items |
| <u>16-0496</u> | Study Session Summary of May 24, 2016 - Board and Commission Interviews |
| <u>16-0523</u> | Board/Commission Meeting Minutes |
| <u>16-0558</u> | Study Session Summary of May 17, 2016 - Review Performance Evaluation Tools for the City Manager and City Attorney |
| <u>16-0602</u> | Board/Commission Resignation (Information Only) |

ADJOURNMENT

Mayor Hendricks closed the meeting in honor of the memory of former Mayor Ron Gonzales' mother Marisa Carlotta Gonzales.

Mayor Hendricks adjourned the meeting at 10:26 p.m.