



City of Sunnyvale

Meeting Minutes - Draft City Council

Tuesday, November 15, 2016

5:00 PM

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

Special Meetings: Study Session-5 PM | Closed Session-6:15 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 5:03 p.m.

2 Roll Call

Present: 5 - Mayor Glenn Hendricks
Vice Mayor Gustav Larsson
Councilmember Jim Griffith
Councilmember Tara Martin-Milius
Councilmember Larry Klein
Absent: 2 - Councilmember Pat Meyering
Councilmember Jim Davis

3 Public Comment

4 Study Session

[16-0864](#) Staff Presentation of Preferred Developer (The Related Companies of California, LLC) to Establish an Affordable Housing Development on Iowa Avenue between Mathilda Avenue and Charles Street (Block 15)

5 Adjourn Special Meeting

Vice Mayor Larsson adjourned the meeting at 6:06 p.m.

6:15 P.M. SPECIAL COUNCIL MEETING (Closed Session)

1 Call to Order in the West Conference Room

Vice Mayor Larsson announced the item for the Closed Session and invited any members of the public to provide public comments before convening to Closed

Session.

Vice Mayor Larsson called the meeting to order at 6:18 p.m.

2 Roll Call

Present: 5 - Mayor Glenn Hendricks
Vice Mayor Gustav Larsson
Councilmember Jim Griffith
Councilmember Tara Martin-Milius
Councilmember Larry Klein
Absent: 2 - Councilmember Pat Meyering
Councilmember Jim Davis

3 Public Comment

4 Convene to Closed Session

[16-0856](#)

Closed Session held pursuant to California Government Code Section 54956.8: CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: "Block 15 Affordable Housing Site" located at 365-407 S. Mathilda Avenue and 388-406 Charles Street (APNs 165-13-045, 165-13-046, 165-13-068, 165-13-069, 165-13-073, 165-13-074)

City negotiators: City Manager Deanna Santana, Director of Community Development Trudi Ryan and Housing Officer Suzanne Isé

Negotiating parties: The Related Companies of California, LLC
Under negotiation: Price and terms of payment for a proposed long-term ground lease of City property (Exclusive Negotiating Agreement)

5 Adjourn Special Meeting

Vice Mayor Larsson adjourned the meeting at 6:41 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: 5 - Mayor Glenn Hendricks
Vice Mayor Gustav Larsson
Councilmember Jim Griffith
Councilmember Tara Martin-Milius
Councilmember Larry Klein
Absent: 2 - Councilmember Pat Meyering
Councilmember Jim Davis

Mayor Hendricks reported the absences are excused.

CLOSED SESSION REPORT

Vice Mayor Larsson reported the Council met in Closed Session pursuant to California Government Code Section 54956.8: Conference with Labor Negotiators, Property: "Block 15 Affordable Housing Site" located at 365-407 S. Mathilda Avenue and 388-406 Charles Street (APNs 165-13-045, 165-13-046, 165-13-068, 165-13-069, 165-13-073, 165-13-074) City negotiators: City Manager Deanna Santana, Director of Community Development Trudi Ryan and Housing Officer Suzanne Isé, Negotiating parties: The Related Companies of California, LLC; direction was given to negotiate the exclusive negotiating agreement by a vote of 5 - 0 with Councilmembers Meyering and Davis absent.

SPECIAL ORDERS OF THE DAY

City Manager Deanna Santana introduced Kenn Lee, Assistant Director of Finance.

[16-1044](#) SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office
for Planning Commissioner

Vice Mayor Larsson administered the Ceremonial Oath of Office to Planning Commissioner John Howe.

[16-1020](#) SPECIAL ORDER OF THE DAY - World Pancreatic Cancer
Day

Mayor Hendricks presented a proclamation declaring November 17, 2016 Pancreatic Cancer Awareness Day.

[16-1026](#) SPECIAL ORDER OF THE DAY - Santa Clara County

Tobacco Free Coalition Recognition of City Council

Santa Clara County Tobacco Free Coalition recognized the City for efforts to create a tobacco free community.

PRESENTATION

[16-1038](#)

PRESENTATION - Proposed Pilot Program in Sunnyvale for Autonomous Delivery Services by Starship Technologies, Henry Harris-Burland

Assistant City Manager Kent Steffens introduced the item.

Henry Harris-Burland, Starship Technologies, provided a presentation and videos regarding the use of autonomous delivery vehicles for delivery services in Sunnyvale.

ORAL COMMUNICATIONS

Mayor Hendricks announced he has received 15 speaker cards and will limit this period to 15 minutes and hear the remaining speakers following the Public Hearings/General Business section.

Councilmember Martin-Milius announced a new iGreen challenge.

Martin Schmidt spoke regarding Sunnyvale Employee Association and presented an overhead slide.

JoAnn Luck spoke regarding a proposal to put people at the center of City planning and provided written materials.

Eugena Marino, resident of Plaza Del Rey mobile home park, spoke regarding space rent increases at the park and requested enactment of an ordinance to protect affordable housing.

Lois Shouse, resident of Plaza Del Rey mobile home park, requested a moratorium on rent increases.

Steve Scandalis spoke regarding Measure M and presented a PowerPoint presentation.

Maggie Wu spoke regarding U.S. House Resolution 343 condemning live organ

harvesting in China and asked for support for a City resolution condemning the practice.

CONSENT CALENDAR

Councilmember Griffith stated his vote would be an abstention on Item 1.J due to a conflict of interest regarding his employer.

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

The motion carried by the following vote:

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

No: 0

Absent: 2 - Councilmember Meyering
Councilmember Davis

1.A [16-0882](#) Approve City Council Meeting Minutes of October 25, 2016

Approve the City Council Meeting Minutes of October 25, 2016 as submitted.

1.B [16-0997](#) Approve City Council Meeting Minutes of November 1, 2016

Approve the City Council Meeting Minutes of November 1, 2016 as submitted.

1.C [16-0979](#) 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 [16-0323](#) Adopt a Resolution Amending the City of Sunnyvale Local
Conflict of Interest Code

Adopt a resolution amending the City of Sunnyvale Local Conflict of Interest Code.

1.E [16-0878](#) Authorize the City Manager to Execute Right of Way
Agreements, Three Easement Deeds and One Temporary
Construction Easement to the Santa Clara Valley Water

District (SCVWD) Over Portions of City-Owned Properties in Relation to the Sunnyvale East and West Channels Flood Protection Project.

Adopt the resolution authorizing the City Manager or designee to execute the right of way agreements, three easement deeds and a temporary construction easement to SCVWD over portions of City property in relation to the Sunnyvale East West Channel Project.

1.F [16-0960](#) Award of Contract for Emergency Responder Radio System Plan Review and Inspection Services (F16-135)

1) Award a two year contract to RFSignalman in an amount not to exceed \$336,000 in substantially the same form as Attachment 1 to the report to provide specialized services for plan review and inspection for emergency responder radio systems; and 2) authorize the City Manager to execute the contract and to renew the contract for two additional one year periods, not to exceed budgeted amounts, provided pricing and service remain acceptable to the City.

1.G [16-0981](#) Award of Contract for Design and Construction Support Services for the Waterline Replacement 2016/17 Project (F16-140)

1) Award a design contract, in substantially the same form as Attachment 1 to the report in an amount not to exceed \$222,415, to Bellecci & Associates, Inc., and Authorize the City Manager to execute the contract when all necessary conditions have been met; 2) approve a 10% contract contingency in the amount of \$22,242; and 3) make a finding that the project is categorically exempt under CEQA Guidelines Section 15302(c).

1.H [16-0991](#) Receive and File the City of Sunnyvale Investment Report - 3rd Quarter 2016

Receive and file the City of Sunnyvale FY 2016/17 - Third Quarter 2016 (Period 4) Investment Report.

1.I [16-1058](#) Adopt Ordinance No. 3099-16 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone Certain Property located at 838 Azure Street/842 Sunnyvale-Saratoga Road from R0 (Low Density Residential) to R2/PD (Low Medium Density Residential-Planned Development)

Adopt Ordinance No. 3099-16.

- 1.J** [16-1060](#) Adopt Ordinance No. 4000-16 Amending various sections of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code to adopt by reference the 2016 California Building, Residential, Mechanical, Plumbing, Electrical, Building Standards Administrative, Energy, Historical Building, Existing Building, and Green Building Standards Codes, and the International Property Maintenance Code, with Local Amendments and related findings, and Adding Chapters 16.66 and 16.70 to codify Expedited Permit Review Processes for Small Rooftop Solar Systems and Electric Vehicle Chargers

MOTION: Vice Mayor Larsson moved and Councilmember Klein seconded the motion to adopt Ordinance 4000-16.

The motion carried by the following vote:

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

No: 0

Absent: 2 - Councilmember Meyering
Councilmember Davis

Abstain: 1 - Councilmember Griffith

- 1.K** [16-1063](#) Adopt Ordinance No. 4001-16 Amending Chapter 16.52 (Fire Code) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code to adopt by reference the 2016 California Fire Code with Local Amendments and Related Findings

Adopt Ordinance No. 4001-16.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [16-0744](#) Biennial Review of Priority Needs for Human Services
Housing Officer Suzanne Isé provided the staff report.

Public Hearing opened at 8:01 p.m.

Pilar Furlong, Chief Community Resources Officer, Bill Wilson Center, spoke regarding the mental health counseling services and programs the center provides.

Marie Bernard, Executive Director, Sunnyvale Community Services, spoke regarding their mission to prevent homelessness and hunger and the services the organization provides.

Sandra Delateur, Project Sentinel, spoke regarding the services provided by Project Sentinel.

Diana Castillo, Senior Attorney, Law Foundation of Silicon Valley, spoke regarding the services provided by the foundation to assist disabled seniors with affordable housing.

Public Hearing closed at 8:11 p.m.

MOTION: Councilmember Griffith moved and Councilmember Martin-Milius seconded the motion to approve Alternatives 1 and 3: 1) Approve the list of priority needs as shown in the staff report, excerpted from the 2015-2020 ConPlan; and, 3) Determine a supplemental funding amount of \$100,000 for human services grants for FY 2017-18.

RESTATED MOTION: Councilmember Griffith clarified the motion as Alternatives 1 and 3 (revised): 1) Approve the list of priority needs as shown in the staff report, excerpted from the 2015-2020 ConPlan; and, 3) Determine a supplemental funding amount of no more than \$100,000 for human services grants for FY 2017-18. Councilmember Martin-Milius seconded the motion.

The motion carried by the following vote:

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

No: 0

Absent: 2 - Councilmember Meyering
Councilmember Davis

Guard Services and Award a Contract for Crossing Guard
Services (F16-102)

Department of Public Safety Captain Shawn Ahearn provided the staff report.
Director of Public Safety Frank Grgurina and Director of Finance Tim Kirby provided additional information.

Public Hearing opened at 8:26 p.m.

No speakers.

Public Hearing closed at 8:26 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Klein seconded the motion to approve Alternative 1: Award a contract in substantially the same form as Attachment 3 to the report in the amount of \$540,553 to All City Management Services, Inc. and authorize the City Manager to renew the contract for up to four additional years, not to exceed budgeted amounts, provided pricing and service remain acceptable to the City.

The motion carried by the following vote:

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

No: 0

Absent: 2 - Councilmember Meyering
Councilmember Davis

- 4 [16-0718](#) Approve a Reimbursement Agreement with Stratford School for Construction of a Trash Enclosure and Maintenance Building at Raynor Park, Adopt a Resolution Authorizing the City Manager to Execute a Water Line Easement Deed for Stratford School, and Approve Budget Modification No. 18

Director of Public Works Manuel Pineda provided the staff report.

Public Hearing opened at 8:30 p.m.

No speakers.

Public Hearing closed at 8:30 p.m.

MOTION: Councilmember Griffith moved and Vice Mayor Larsson seconded the motion to approve Alternatives 1, 4 and 6: 1) Authorize the City Manager to execute a reimbursement agreement with Stratford School for design and construction of a trash enclosure and maintenance building at Raynor Park and approve Budget Modification No. 18; 4) Adopt the resolution authorizing the City Manager to execute a water line easement deed to Store Master Funding X, LLC for Stratford School; and, 6) Approve Budget Modification No. 18 to appropriate funding for the project.

The motion carried by the following vote:

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

No: 0

Absent: 2 - Councilmember Meyering
Councilmember Davis

ORAL COMMUNICATIONS (CONTINUED AT 8:33 P.M.)

Tony Tan spoke regarding House Resolution 343 condemning the harvesting of human organs and persecution of practitioners of Falun Gong.

Dr. Jianjun Bai (via translator) spoke regarding persecution and torture he suffered in China as a Falun Dafa practitioner.

Yolanda Yao spoke regarding persecution and torture she suffered as a Falun Gong practitioner and forced organ harvesting.

Yuki Li (via translator) spoke regarding the imprisonment of her mother as a Falun Gong practitioner.

Cecilia Liu spoke regarding the ongoing persecution of Falun Gong practitioners and the imprisonment of her father, and requested assistance in raising public awareness.

Peitian Liang spoke regarding organ transplantation in China and the prosecution campaign against Falun Gong practitioners and urged passing of a City resolution in support of House Resolution 343.

Xi Chen spoke regarding House Resolution 343 and organ transplantation in China and requested assistance in raising public awareness.

Abraham Thompson spoke regarding the persecution of Falun Gong practitioners and asked for a resolution of support.

Michele Miranda, Ygrene Energy Fund, spoke regarding Property Assessed Clean Energy (PACE).

Ahmad Qazi, Soleeva Energy, in support of PACE energy measures.

William Au spoke regarding loss of on-street parking on the 700 block of Mary Avenue.

Zachary Kaufman spoke regarding Butcher's Corner and provided an overhead slide.

Michael Goldman spoke regarding elections.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

None.

NON-AGENDA ITEMS & COMMENTS

-Council

Vice Mayor Larsson proposed a study issue regarding changing policy to allow street furniture in front of businesses on Murphy Avenue to be left out overnight or taken in only for the street cleaner, in order to allow better, high quality street furniture to be purchased and create a higher quality environment.

Councilmember Griffith co-sponsored the study issue.

Councilmember Martin-Milius spoke in support of the City going to 100% clean energy with Silicon Valley Clean Energy.

City Manager Santana stated staff is looking to bring an item to Council in December for consideration.

Councilmember Martin-Milius spoke in support of electrifying water heaters and HVAC to reduce greenhouse gases, and to smooth out permitting for them.

City Manager Santana stated the issue is an item for the policy priorities session on January 27.

Councilmember Martin-Milius proposed a study issue to look at a general policy issue regarding the shadowing of antennas.

Councilmember Griffith echoed Councilmember Martin-Milius' comments regarding electrification.

Councilmember Griffith reported San Jose approved a \$15 minimum wage by 2019 and suggested revisiting the City's ordinance to align with the other cities in the region.

City Manager Santana stated she will bring an item back to Council for discussion at the appropriate time.

-City Manager

City Manager Santana stated the Silicon Valley Clean Energy Authority item will be brought to Council in December.

City Manager Santana stated in response to earlier comments, she will recirculate a memo regarding cable and television interference.

INFORMATION ONLY REPORTS/ITEMS

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|--------------------------------|---|
| <u>16-1010</u> | Tentative Council Meeting Agenda Calendar |
| <u>16-1023</u> | Information/Action Items |
| <u>16-1046</u> | Update on Evaluation of Property Assessed Clean Energy (PACE) Programs (Information Only) |

ADJOURNMENT

Mayor Hendricks adjourned the meeting at 9:16 p.m.