



City of Sunnyvale

Meeting Minutes - Draft City Council

Tuesday, May 22, 2018

5:30 PM

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

**Special Meeting: Joint Study Session of Council with Parks and Recreation
Commission- 5:30 PM | Special Meeting- 6:30 PM | Regular Meeting- 7 PM**

5:30 P.M. SPECIAL JOINT COUNCIL AND PARKS AND RECREATION COMMISSION MEETING (Study Session)

1 Call to Order in the Council Chambers (Open to the Public)

Mayor Hendricks called the meeting to order at 5:31 p.m.

2 Roll Call

Present: 7 - Mayor Glenn Hendricks
Vice Mayor Larry Klein
Councilmember Jim Griffith
Councilmember Gustav Larsson
Councilmember Nancy Smith
Councilmember Russ Melton
Councilmember Michael S. Goldman

Parks and Recreation Commission:

Present: 5 - Chair Ralph Kenton
Vice Chair Henry Alexander III (arrived at 5:35)
Commissioner Craig Pasqua
Commissioner Irene Gabashvili
Commissioner Daniel McCune

3 Public Comment

Parks and Recreation Commissioners provided comments

The following individuals provided public comments following the staff report in support of requiring voter approval for sale of public land.

Public Comment opened at 6:10 p.m.

Steve Scandalis
Mei-Ling Stefan
Zachary Kaufman
Paul Brunemeier

Public Comments closed at 6:17 p.m.

4 Study Session

[18-0372](#)

Joint Study Session of City Council and Parks and Recreation Commission regarding proposed (1) ordinance amending Chapter 2.07 (Purchase, Sale or Lease of Real Property) of the Sunnyvale Municipal Code to add special requirements for approval of certain agreements involving publicly accessible recreation and city service properties; and (2) resolution designating specific publicly accessible recreation and city service properties subject to the new approval requirements of Chapter 2.07

Jane Chambers, Interim Deputy City Manager, provided the staff report and presentation. City Manager Kent Steffens provided additional information.

5 Adjourn Special Meeting

Mayor Hendricks adjourned the meeting at 6:22 p.m.

6:30 P.M. SPECIAL COUNCIL MEETING

1 Call to Order in the Council Chambers (Open to the Public)

Mayor Hendricks called the meeting to order at 6:38 p.m.

2 Roll Call

Present: 7 - Mayor Glenn Hendricks
Vice Mayor Larry Klein
Councilmember Jim Griffith
Councilmember Gustav Larsson
Councilmember Nancy Smith
Councilmember Russ Melton
Councilmember Michael S. Goldman

3 Public Comment

No speakers

4 Special Orders of the Day

[18-0115](#) SPECIAL ORDER OF THE DAY - Department of Public Safety
Special Awards

Mayor Hendricks and Chief of Public Safety Phan Ngo presented the Department of Public Safety Special Awards.

5 Adjourn Special Meeting

Mayor Hendricks adjourned the special meeting at 7:11 p.m.

7 P.M. COUNCIL MEETING

CALL TO ORDER

Mayor Hendricks called the meeting to order at 7:16 p.m.

SALUTE TO THE FLAG

Mayor Hendricks led the salute to the flag.

ROLL CALL

Present: 7 - Mayor Glenn Hendricks
Vice Mayor Larry Klein
Councilmember Jim Griffith
Councilmember Gustav Larsson
Councilmember Nancy Smith
Councilmember Russ Melton
Councilmember Michael S. Goldman

CLOSED SESSION REPORT

Vice Mayor Klein reported the Council met in Closed Session May 15, 2018 pursuant to California Government Code Section 54956.9(d)(2); CONFERENCE WITH LEGAL COUNSEL-POTENTIAL LITIGATION; Name of Claimant: The Rock Church; nothing to report.

Vice Mayor Klein reported the Council met in Closed Session May 15, 2018 pursuant to California Government Code Section 54956.95(b); CONFERENCE WITH LEGAL COUNSEL-SETTLEMENT OF WORKER'S COMPENSATION CLAIM; Claim Number: SNVL-544379; nothing to report.

SPECIAL ORDER OF THE DAY**[18-0272](#) SPECIAL ORDER OF THE DAY - National Public Works Week**

Mayor Hendricks presented a Proclamation for National Public Works Week to Director of Public Works Chip Taylor and staff. Kim Pineda, Public Works Employee of the Year, accepted the proclamation on behalf of the department.

ORAL COMMUNICATIONS

Joshua Grossman spoke regarding the purchase, sale or lease of public recreational lands topic discussed during the Study Session and expressed support for requiring voter approval.

Zachary Kaufman spoke regarding civic center costs.

Henry Alexander III provided a PowerPoint presentation, spoke regarding the Magical Bridge playground, and expressed support for funding to include Assistive Technology.

CONSENT CALENDAR

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

Motion carried by the following vote:

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

No: 0

1.A **[18-0391](#)** Approve City Council Meeting Minutes of May 8, 2018

Approve the City Council Meeting Minutes of May 8, 2018 as submitted.

1.B **[18-0019](#)** Approve City Council Special Meeting Minutes of May 15, 2018

Approve the City Council Meeting Minutes of May 15, 2018 as submitted.

- 1.C** [17-1112](#) 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** [18-0410](#) Approve the FY 2018/19 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 2018/19, and Set the Date of June 26, 2018 for the Public Hearing on the Proposed Assessment

Approve the Fiscal Year (FY) 2018/19 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 2018/19, and set the date of June 26, 2018 for the public hearing on the levy of the proposed Assessment.

- 1.E** [18-0420](#) Award of Contract for Custodial Services (F18-196)

1) Award a contract to Imperial Maintenance Services, Inc. for custodial services in the amount of \$717,518 for year one, in substantially the same form as Attachment 2 to the report; and 2) Authorize the City Manager to renew the contract for up to five (5) additional one-year periods, subject to available funding and acceptable pricing and services.

- 1.F** [18-0421](#) Adopt a Resolution to Authorize the Filing of Fiscal Year 2018/19 Transportation Development Act (TDA) Article 3 Application for the Installation of Green Bicycle Pavement Markings

Adopt the resolution requesting an allocation from Metropolitan Transportation Commission of \$120,887 of Transportation Development Act funds to the City for FY 2018/19 to be used for the installation of green bicycle pavement markings at up to five (5) intersections at the following locations:

- Fair Oaks Avenue & E Evelyn Avenue
- Remington Drive & Tilton Drive
- Wolfe Road & E Evelyn Avenue
- Bernardo Avenue & Remington Drive
- Bernardo Avenue & Fremont Avenue

PUBLIC HEARINGS/GENERAL BUSINESS

- 2 [18-0409](#) REQUEST FOR CONTINUANCE TO JUNE 26, 2018
Amend the Lawrence Station Area Plan: Select a Preferred
Alternative for the Housing Study
Project Planner: George Schroeder, (408) 730-7443,
gschroeder@sunnyvale.ca.gov

Public hearing opened at 7:29 p.m.

No speakers.

Public hearing closed at 7:29 p.m.

MOTION: Councilmember Melton moved, and Councilmember Larsson seconded the motion to Continue to the City Council Meeting of June 26, 2018.

The motion carried by the following vote:

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

No: 0

- 3 [18-0414](#) Review of Charter Review Committee Report and
Recommendation to Amend Sunnyvale City Charter Section
604 Regarding Filling City Council Vacancies and Provide
Direction to Staff on Next Steps

Assistant City Manager Teri Silva provided the staff report. City Attorney John Nagel provided additional information.

Charter Review Committee Chair Larry Stone provided the Committee report.
Charter Review Committee Subcommittee Chair Amanda Richey provided the Subcommittee report.

Public hearing opened at 8:18 p.m.

Richard Mehlinger spoke in support of the Charter Review Committee

recommendation and recommended that the proposed language be placed on the ballot without changes.

Steve Scandalis spoke in support of a hybrid method and recommended modifying subsection (g) to limit appointments to a maximum of one.

Melinda Hamilton spoke in support of the committee's recommendation, recommended implementation of the process before a vacancy occurs, and advocated keeping vacancies short.

Mei-Ling Steffen spoke in support of a cap of one appointment, and urged the Council to not rush to a decision.

Zachary Kaufman spoke in support of requiring appointees to pledge not to seek election.

Public hearing closed at 8:29 p.m.

MOTION: Vice Mayor Klein moved and Councilmember Larsson seconded the motion to accept the Charter Review Committee's recommendation to amend Charter Section 604 and direct staff to return with actions necessary to place a ballot measure amending Charter Section 604 on the November 2018 ballot.

The motion carried by the following vote:

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

No: 0

- 4** [18-0425](#) Receive Transient Occupancy Tax and Real Property Transfer Tax Polling Results and Provide Direction to Staff on Next Steps

Director of Finance Tim Kirby and Curtis Below, FM3 Opinion Research and Strategy, provided a report and presentation.

Public hearing opened at 9:34 p.m.

John Cordes, BPAC Chair, speaking for himself, spoke in support of the TOT measure.

Steve Scandalis spoke regarding surveying methods that disqualify survey-takers, and spoke in support of the TOT measure.

Public hearing closed at 9:39 p.m.

MOTION: Councilmember Larsson moved and Councilmember Smith seconded the motion to Alternative 1: Direct staff to return to Council with actions necessary to place a ballot measure on the November 2018 ballot to increase the Transient Occupancy Tax rate from 10.5% to 12.5%.

The motion carried by the following vote:

Yes: 5 - Mayor Hendricks
Vice Mayor Klein
Councilmember Larsson
Councilmember Smith
Councilmember Melton

No: 1 - Councilmember Griffith

Abstain: 1 - Councilmember Goldman

Council recessed at 9:51 p.m.

Council reconvened at 10:00 p.m. with all councilmembers present.

5 [18-0305](#) Consider Draft 2018 Housing and Urban Development (HUD)
Action Plan

Housing Officer Suzanne Isé provided the staff report.

Public hearing opened at 10:02 p.m.

Chris Anderson, Downtown Streets Team, provided information regarding the WorkFirst Sunnyvale program and requested support for continued funding.

Pilar Furlong, Chief Community Resource Officer at Bill Wilson Center, provided

information regarding the youth and family counseling services provided and requested continued support.

John Cordes, BPAC Chair, speaking for himself, spoke in support of funding all the proposed services.

Arcadio Morales, Senior Director of Development, Sunnyvale Community Services, spoke in support of funding for the WorkFirst Sunnyvale program, for continuation of the Tenant-Based Rental Assistance (TBRA) funding for Sunnyvale homeless individuals, and provided written materials.

Marie Bernard, Executive Director, Sunnyvale Community Services, provided information regarding the programs and services provided, and expressed gratitude on behalf of all funded nonprofits for the continued support.

Public hearing closed at 10:13 p.m.

MOTION: Vice Mayor Klein moved and Councilmember Smith seconded the motion to Alternative 1: Approve 2018 HUD Action Plan as provided in Attachment 2 to the staff Report.

The motion carried by the following vote:

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

No: 0

6 [18-0413](#) Adopt Positions on State and Local Ballot Measures for the June 5, 2018 Election

Senior Management Analyst Lupita Alamos provided the staff report.

Public hearing opened at 10:24 p.m.

John Cordes, BPAC Chair, speaking for himself, spoke in support of staff recommendation to support Propositions 68, 69, and 72, noted that the Sierra Club

is opposed to Proposition 70, and that there was mixed support and opposition from the environmental community to Regional Measure 3.

Public hearing closed at 10:26 p.m.

MOTION: Councilmember Larsson moved and Vice Mayor Klein seconded the motion to:

Support - Prop 68 Bonds for Environment, Parks and Water.

Support - Prop 69 Transportation Funding.

Support - Prop 72 Taxes for Rainwater Capture Systems.

The motion carried by the following vote:

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

No: 0

MOTION: Councilmember Griffith moved and Councilmember Larsson seconded the motion to Oppose Prop 70 Cap-and-Trade Amendment.

The motion carried by the following vote:

Yes: 6 - Mayor Hendricks
Vice Mayor Klein
Councilmember Griffith
Councilmember Larsson
Councilmember Smith
Councilmember Melton

No: 0

Abstain: 1 - Councilmember Goldman

MOTION: Councilmember Larsson moved and Councilmember Griffith seconded the motion to support Proposition 71 - Ballot Measure Effective Date.

The motion carried by the following vote:

Yes: 6 - Mayor Hendricks
Vice Mayor Klein
Councilmember Griffith
Councilmember Larsson
Councilmember Smith
Councilmember Melton

No: 0

Abstain: 1 - Councilmember Goldman

MOTION: Vice Mayor Klein moved and Councilmember Larsson seconded the motion to Support Regional Measure 3 - Bay Area Traffic Relief Plan.

The motion carried by the following vote:

Yes: 6 - Mayor Hendricks
Vice Mayor Klein
Councilmember Griffith
Councilmember Larsson
Councilmember Smith
Councilmember Melton

No: 1 - Councilmember Goldman

- 7 [18-0015](#) Appoint Applicants to the Bicycle and Pedestrian Advisory Commission, Board of Library Trustees, Heritage Preservation Commission, Housing and Human Services Commission, Planning Commission and Sustainability Commission

City Clerk Kathleen Franco Simmons provided the staff report.

Planning Commission (two terms to 6/30/2022)

Applicant: Ken Rheaume (only preference)

VOTE: 5-0-2 (Abstentions by Councilmembers Smith and Goldman)

Applicant: Sue Harrison (only preference)

VOTE: 6-0-1 (Abstentions by Councilmember Goldman)

Applicant: David Wu (1st preference)

VOTE: 0-0-7 (Abstentions by all Councilmembers)

Applicant: Diana Nguyen (only preference)

VOTE: 0-0-7 (Abstentions by all Councilmembers)

Applicant: Shana Padgett (1st preference)

VOTE: 1-0-6 (Affirmative vote by Councilmember Goldman)

Applicant: Neela Shukla (only preference)

VOTE: 3-0-4 (Affirmative votes by Councilmembers Smith, Klein and Goldman)

Applicant: Carey Lai (1st preference)

VOTE: 1-0-6 (Affirmative vote by Councilmember Smith)

City Clerk Kathleen Franco Simmons announced applicants Ken Rheaume and Sue Harrison were appointed to the Planning Commission for terms expiring 6/30/2022.

Board of Library Trustees (one term to 6/30/2022)

Applicant: Carey Lai (2nd preference)

VOTE: 7-0-0 (Affirmative votes by all Councilmembers)

City Clerk Kathleen Franco Simmons announced applicant Carey Lai was appointed to the Board of Library Trustees for a term expiring 6/30/2022.

Sustainability Commission (two terms to 6/30/2022)

Applicant: Shana Padgett (Category One – 2nd preference)

VOTE: 4-0-3 (Abstentions by Councilmembers Melton, Smith and Hendricks)

Applicant: Douglas Kunz (Category One – only preference)

VOTE: 7-0-0 (Affirmative votes by all Councilmembers)

City Clerk Kathleen Franco Simmons announced applicants Shana Padgett and Douglas Kunz were appointed to the Sustainability Commission for terms expiring 6/30/2022.

Bicycle and Pedestrian Advisory Commission (Category Two, category two terms to 6/30/2022)

Applicant: John Cordes (Category Two - only preference)

VOTE: 7-0-0 (Affirmative votes by all Councilmembers)

City Clerk Kathleen Franco Simmons announced applicant John Cordes was appointed to the Bicycle and Pedestrian Commission for terms expiring 6/30/2022.

Heritage Preservation Commission (two terms to 6/30/2022)

Applicant: David Wu (3rd preference)

VOTE: 5-0-2 (Abstentions by Councilmembers Hendricks and Griffith)

City Clerk Kathleen Franco Simmons announced applicant David Wu was appointed to the Heritage Preservation Commission for a term expiring 6/30/2022.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

None.

NON-AGENDA ITEMS & COMMENTS

-Council

MOTION: Councilmember Larsson moved and Councilmember Goldman seconded to direct staff to bring back an item for discussion and possible action to implement 15 mile per hour speed limits around schools.

Motion carried by the following vote:

Yes: 6 - Mayor Hendricks
Vice Mayor Klein
Councilmember Larsson
Councilmember Smith
Councilmember Melton
Councilmember Goldman

No: 1 - Councilmember Griffith

-Council

Councilmember Goldman reported on a meeting of a group who met with legislators about SB 828 relating to Regional Housing Need Allocation (RHNA) requirements and the impact on affordability of housing all over the state.

Mayor Hendricks reported on the last meeting of the FAA Ad-Hoc committee and

noted that the report and recommendations were delivered to the FAA and can be viewed online at https://www.flysanjose.com/Ad_Hoc_Meetings.

Councilmember Smith reported she went with representatives of Silicon Valley Clean Energy and Monterey Bay Community Power to advocate for clean energy to the mutual assemblypersons' offices. Councilmember Smith also reported that she will be attending an upcoming meeting of the League of Cities Housing Community and Economic Development Policy Committee.

-City Manager

City Manager Kent Steffens provided a reminder of the Special Council meeting on Friday, May 25 at 8:30 a.m.

INFORMATION ONLY REPORTS/ITEMS

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|-------------------------|--|
| 18-0388 | Tentative Council Meeting Agenda Calendar |
| 18-0320 | Information/Action Items |
| 18-0515 | Mayoral Announcement of Mayor-Appointed Ad Hoc Council
Advisory Committee on City Attorney Compensation |

ADJOURNMENT

Mayor Hendricks adjourned the meeting at 11:05 p.m.