



# City of Sunnyvale

## Meeting Minutes - Final

### Housing and Human Services Commission

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Wednesday, July 22, 2015

7:00 PM

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

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#### **CALL TO ORDER**

Chair Gilbert called the meeting to order at 7:09 p.m.

#### **SALUTE TO THE FLAG**

Chair Gilbert led the salute to the flag.

#### **ROLL CALL**

**Present:** 4 - Commissioner Diana Gilbert  
Commissioner Dennis Chiu  
Commissioner Chrichelle McCloud  
Vice Chair Barbara Schmidt  
**Absent:** 2 - Commissioner Younil Jeong  
Chair Patti Evans

**Council Liaison Patrick Meyering (absent)**  
**Vice Chair Younil Jeong (unexcused absence)**  
**Commissioner Patti Evans (excused absence)**

#### **PUBLIC ANNOUNCEMENTS**

None.

#### **CONSENT CALENDAR**

**1.A**     [15-0472](#)     Draft Minutes of the Housing and Human Services  
Commission Meeting of May 20, 2015

Chair Gilbert asked if anyone wanted to pull an item from the consent calendar for discussion. No one did.

Chair Gilbert asked for a motion to approve the consent calendar.

Commissioner Chiu moved and Commissioner McCloud seconded the motion to approve the consent calendar which is comprised of the Draft Minutes of the

Housing and Human Services Commission Meeting of May 20, 2015. The motion carried by the following vote:

**Yes:** 4 - Commissioner Gilbert  
Commissioner Chiu  
Commissioner McCloud  
Vice Chair Schmidt

**No:** 0

**Absent:** 2 - Commissioner Jeong  
Chair Evans

### **PUBLIC COMMENTS**

None.

### **PUBLIC HEARINGS/GENERAL BUSINESS**

**2**      [15-0664](#)      Public Hearing: Study Issue CDD 15-12: Regulating  
Short-term Residential Rental Units (i.e., AirBnB)

Principal Planner Andrew Miner gave a presentation on the topic. He explained that the concerns about short-term residential rentals revolve around the impact that they can have on the cost of housing and availability of long-term affordable rental units in the area; parking, traffic and safety in the neighborhood; as well as the regulatory and zoning incompatibility of what would essentially become a hotel in a residential area.

During the presentation the commissioners asked about the type of insurance that hosts are required to carry, type of fees being considered, parking concerns, and the permit process being proposed.

Chair Gilbert opened the public hearing at 8:01 p.m.

Jennifer Martin, Sunnyvale resident, shared her experience living next to an unhosted short-term residential rental. She noted that the rapid turn over causes problems because it makes the area feel unsafe, it's difficult to keep track of the different people that come and go without really knowing if they should or should not be there.

Lorraine Heng, Sunnyvale resident, stated that she owns an unhosted short-term rental and noted that she has a permit for a rental and that she pays TOT. She shared that in her experience, longer-term renters tend create more problems for an owner than short-term renters because there is less wear and tear on the home

because it is cleaned and checked for damage after each renter's stay.

Linda McGahen, Sunnyvale resident, stated that she has a hosted rental. She expressed that her experience renting through AirBnB has been positive because AirBnB provides photos of the guests, verifies the information that they provide, and collects the money. In addition, most of her guests don't drive: therefore, parking has not been an issue for her or her neighbors.

Dan Paustian and Terrie Pattee, stated that they own an unhosted rental and carry special insurance for it. Mr. Paustian added that Sunnyvale should embrace the short-term rental business model, let the market decide, and warned against over-regulation which prevents an owner from making decisions about the use of his own home.

Theresa Heng-Penner, Sunnyvale resident, owns an unhosted rental. She spoke favorably of her experience and the advantages of having short-term guests rather than long-term tenants who tend to run the home down. She added that she posts a best practices list for the guests and by it being unhosted it reduces the parking impact to the neighborhood. She added that allowing only hosted rentals would be over-regulating the use of the home.

Stacy McGowen, realtor and advocate of the free market, stated that long-term renters and slumlords can have a worse impact in housing than short-term renters. She added that a higher turn over results in less wear and tear on the home. She suggested that homeowners of any type of rental should be taught and tested on how to be a good landlord.

Chair Gilbert closed the public hearing at 8:54 p.m.

After a lengthy discussion and more clarifying questions of staff, Chair Gilbert asked for a motion.

Commissioner's opinions on appeals were split. Two commissioners felt that there should be an appeal option, while two felt it was not needed.

Commissioner Chiu moved and Commissioner McCloud seconded the motion to:

1. Allow hosted and unhosted short-term residential rental units
2. Not limit number of days allowed per year
3. Not limit the type of residential properties
4. Require payment of transient occupancy tax (TOT)

5. Require permit fee (staff can determine the amount that will aid in enforcement)
6. Codify the requirements
7. Require the property owner's signature on the short-term rental application
8. Make the permit available over-the-counter
9. Issue the permit in perpetuity
10. Not notify of permit issuance

The motion carried by the following vote:

**Yes:** 4 - Commissioner Gilbert  
Commissioner Chiu  
Commissioner McCloud  
Vice Chair Schmidt

**No:** 0

**Absent:** 2 - Commissioner Jeong  
Chair Evans

**3**      [15-0618](#)      Election of Officers for FY 2015-2016

Chair Gilbert suggested a short break at 9:51 p.m.

Chair Gilbert called the meeting back to order at 9:58 p.m.

Chair Gilbert asked if anyone was interested in serving as Chair and opened the floor for nominations.

Commissioner McCloud nominated Commissioner Evans for the office of Chair.

Chair Gilbert closed the floor for nominations and opened the floor for discussion.

Commissioner Evans was elected to the Office of Chair for FY 2015-16 by acclamation.

Chair Gilbert asked if anyone was interested in serving as Vice Chair and opened the floor for nominations.

Commissioner Chiu nominated Commissioner Schmidt for the office of Vice Chair.

Chair Gilbert closed the floor for nominations and opened the floor for discussion.

Commissioner Schmidt was elected to the Office of Vice Chair for FY 2015-16 by acclamation.

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

### **-Commissioner Comments**

Commissioners thanked Chair Gilbert for her service as Chair during FY 2014-2015.

### **-Staff Comments**

None.

## **INFORMATION ONLY REPORTS/ITEMS**

[15-0573](#)

Revised Council Policy 7.2.19

## **ADJOURNMENT**