City of Sunnyvale

Meeting Minutes - Revised
City Council

Tuesday, May 3, 2016 | **5:00 PM** | **Council Chambers and West Conference Room, City Hall, 456 W. Olive Ave., Sunnyvale, CA 94086**

Special Meeting- Closed Session- 5 PM | Special Meeting- Joint Meeting of City Council and the Redevelopment Successor Agency- 5:55 PM | Special Meeting- 6PM | Regular Meeting- 7 PM

5 P.M. SPECIAL COUNCIL MEETING (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 (arrived at 5:06 p.m.)
Councilmember Martin-Milius
Councilmember Davis

3 Public Comment

None.

4 Convene to Closed Session

16-0196 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)

5 Adjourn Special Meeting

Vice Mayor Larsson adjourned the special meeting at 5:42 p.m.

5:55 P.M. SPECIAL MEETING: Joint Meeting of the City Council and the Redevelopment Successor Agency

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

Mayor / Board Member Hendricks called the meeting to order at 5:55 p.m. in Council Chambers.

2 Roll Call

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

3 Public Comment

None.

4 16-0444 Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes of April 30, 2013

City Attorney / Agency Counsel John Nagel presented the staff report.

Vice Mayor / Board Member Larsson stated he would abstain from voting as he was not present at the meeting.

Councilmember / Board Member Davis stated he would abstain from voting as he was not present at the meeting.

Public Hearing opened at 5:59 p.m.
No speakers.
Public Hearing closed at 5:59 p.m.

MOTION: Councilmember / Board Member Griffith moved and Councilmember / Board Member Martin-Milius seconded the motion to Redevelopment Successor Agency: Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes of April 30, 2013 as submitted; City Council: Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes of April 30, 2013 as submitted.

The motion carried by the following vote:

Yes: 3 - Mayor / Board Member Hendricks
Councilmember / Board Member Griffith
Councilmember / Board Member Martin-Milius

No: 1 - Councilmember / Board Member Meyering

Abstain: 2 - Vice Mayor / Board Member Larsson
Councilmember / Board Member Davis

5 16-0389 Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes and City Council Meeting Minutes of April 12, 2016

MOTION: Vice Mayor / Board Member Larsson moved and Councilmember / Board Member Griffith seconded the motion to
Redevelopment Successor Agency: Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes and City Council Meeting Minutes of April 12, 2016 as submitted;
City Council: Approve Joint City Council and Redevelopment Successor Agency Meeting Minutes and City Council Meeting Minutes of April 12, 2016 as submitted.

The motion carried by the following vote:

Yes: 5 - Mayor / Board Member Hendricks
Vice Mayor / Board Member Larsson
Councilmember / Board Member Griffith
Councilmember / Board Member Martin-Milius
Councilmember / Board Member Davis

No: 1 - Councilmember / Board Member Meyering

6 Adjourn Special Meeting

Mayor / Board Member Hendricks adjourned the meeting at 6 p.m.

6 P.M. SPECIAL COUNCIL MEETING

CALL TO ORDER

Mayor Hendricks called the meeting to order at 6 p.m. in Council Chambers.

ROLL CALL

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

SPECIAL ORDER OF THE DAY

16-0101 SPECIAL ORDER OF THE DAY - 2016 Earth Day Poster Contest Winners

Mayor Hendricks recognized the 2016 Earth Day Poster Contest Winners.

16-0103 SPECIAL ORDER OF THE DAY - Recognition of Green Businesses

Mayor Hendricks and Commercial Recycling Coordinator Mary Lindemuth recognized newly certified or recertified green businesses.

16-0127 SPECIAL ORDER OF THE DAY - Department of Public Safety Special Awards

Chief of Public Safety Frank Grgurina and Mayor Hendricks presented the Department of Public Safety Special Awards.

16-0340 SPECIAL ORDER OF THE DAY - Municipal Clerks Week

Mayor Hendricks presented a proclamation in honor of Municipal Clerks Week to City Clerk Kathleen Franco Simmons and Deputy City Clerk Lisa Natusch.

ADJOURNMENT

Mayor Hendricks adjourned the special meeting at 7:02 p.m.

7 P.M. REGULAR 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.

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.

ORAL COMMUNICATIONS

Maria Pan spoke regarding the awards ceremony held at an earlier time and provided additional comments.

Stan Hendryx spoke regarding the proclamation presented on April 14 in honor of affordable housing week.

Kevin Bock, Principal, Summit Denali spoke regarding Teacher Appreciation Day.

Marie Bernard, Executive Director of Community Services, provided an update on the services provided for victims of the fire at Twin Pines Manor.

CONSENT CALENDAR

Mayor Hendricks announced a member of the public requested to pull Item 1.I.

Councilmember Meyering pulled Items 1.A, 1.B, 1.C, 1.E, 1.G and 1.K.and requested to record a No vote on Item 1.J.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Consent Calendar Items 1.D, 1.F, 1.H, 1.J

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 16-0440 Approve City Council Special Meeting Minutes of April 19, 2016

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

MOTION: Councilmember Meyering moved to deny the minutes until a summary of the dissenting votes and positions 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 Special Meeting Minutes of April 19, 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 16-0447 Approve City Council Regular Meeting Minutes of April 19, 2016

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

MOTION: Councilmember Meyering moved to deny the minutes until a summary of the dissenting votes and positions 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 Regular Meeting Minutes of April 19, 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 16-0443 Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Public Hearing opened at 10:02 p.m.
No speakers.
Public Hearing closed at 10:02 p.m.

MOTION: Councilmember Meyering moved to deny the claims until such time as Councilmembers are provided 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 16-0229 Authorize the Issuance of a Purchase Order for Two Oil Distributor Trucks

Authorize the issuance of a Purchase Order in the amount of $361,626 ($332,531 plus sales tax in the amount of $29,095), in substantially the same form as Attachment 1 of the report, to Herrmann Equipment, Inc. of Roseville for two oil distributor trucks.

1.E 16-0263 Award of Contract for Design and Construction Support Services for the Sunnyvale-Saratoga Road Traffic Signal, Bicycle and Pedestrian Safety Project (F16-66)

Public Hearing opened at 10:05 p.m.

No speakers.
Public Hearing closed at 10:05 p.m.

MOTION: Councilmember Meyering moved to deny recommendation 2 regarding the design contingency until such time as Council is provided with oversight reports as to when and for what the contingencies are used.
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 1 to the report and in the amount of $113,214 to TJKM Transportation Consultants, Inc. for the subject project and authorize the City Manager to execute the contract when all necessary conditions have been met; and 2) Approve a 10% design contingency in the amount of $11,321.

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.F 16-0388 Receive and File the City of Sunnyvale Investment Report - 1st Quarter 2016

Receive and file the City of Sunnyvale FY 2015/16 First Quarter 2016 (Period 10) investment report (Attachment 1 of the staff report).

1.G 16-0375 Adopt a Resolution to Authorize the Filing of Fiscal Year 2016/17 Transportation Development Act (TDA) Article 3 Applications for Pedestrian and Bicycle Projects

Public Hearing opened at 10:09 p.m.
No speakers.
Public Hearing closed at 10:09 p.m.

MOTION: Councilmember Meyering moved to deny the recommendation to adopt the resolution to allocate funds for the projects.
The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to adopt a resolution requesting MTC for an allocation of $115,088 of TDA

funds for FY 2016/17 to be used as grant matching funds for the Mary Avenue Bicycle Lane Project from Iowa Avenue to Maude Avenue.

The motion carried by the following vote:

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

No: 0

Abstain: 1 - Councilmember Meyering

1.H 16-0428 Authorize the City Manager to Execute an Agreement with Sunnyvale School District for the Use, Maintenance and Improvement for Public Recreational Purposes of Various Buildings and Open Space at School Sites

Authorize the City Manager to execute an Agreement with Sunnyvale School District for the Use, Maintenance and Improvement for Public Recreational Purposes of Various Buildings and Open Space Areas at School Sites.

1.I 16-0432 Adopt Ordinance No. 3080-16 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone Certain Properties Located between Dartshire Way and Devonshire Way and Kingfisher Way and Flicker Way from R-0 (Low Density Residential) Zoning District to R-0/S (Low Density Residential/Single-Story) Zoning District

Public Hearing opened at 7:23 p.m.

Stan Hendryx requested the ordinance be repealed.

Public Hearing closed at 7:25 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Griffith seconded the motion to adopt Ordinance No. 3080-16.

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.J 16-0433 Adopt Ordinance No. 3081-16 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone Certain Property Located at 1111 Lockheed Way From MP-I (Moffett Park-Industrial) To MP-TOD (Moffett Park - Transit Oriented Development)

Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to Adopt Ordinance No. 3081-16.

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

1.K 16-0434 Adopt Ordinance No. 3082-16 Amending Chapter 19.37 (Landscaping, Irrigation and Usable Open Space) and Section 19.48.090 (Pools and Spas) of Chapter 19.48 (Fences, Distances between Buildings and Extensions into Yards) of Title 19 (Zoning) of the Sunnyvale Municipal Code to Update the Water-Efficient Landscaping Regulations Pursuant to California State Law

Public Hearing opened at 10:14 p.m.
No speakers.
Public Hearing closed at 10:14 p.m.

MOTION: Councilmember Meyering moved and Vice Mayor Larsson seconded the motion to adopt Ordinance No. 3082-16.

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

PUBLIC HEARINGS/GENERAL BUSINESS

2 16-0197 FILE #: 2016-7068
Location: 160 Aries Way (APN 209-07-007)
Proposed Project: DOWNTOWN SPECIFIC PLAN AMENDMENT INITIATION: Request to study a change to the land use designation of a portion of Block 1a of the Downtown Specific Plan from very high density residential to retail and office, as well as increase the allowable height from 85 feet to100 feet.
Applicant/Owner: Andy Kasik
Environmental Review: Exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15061 (b) (3) because the mere initiation of a study is not a project with the potential to cause a significant impact on the environment.

Director of Community Development Trudi Ryan provided the staff report.

Applicant Andy Kasik provided information regarding the proposed project.

Public Hearing opened at 7:41 p.m.

Stan Hendryx recommended a visual monument at 160 Aries Way and recommended low and moderate income housing be included in the study, and displayed an aerial view of the site.

Megan Persinger spoke in support of consideration of affordable housing and encouraged a mixed use study.

Mark Cutler spoke regarding the need for affordable housing in Sunnyvale and spoke in favor of a study for the best use of the land.

Daniel Persinger echoed Megan Persinger's comments.

John Cordes, Vice Chair of the Bicycle and Pedestrian Advisory Commission speaking for himself, spoke in support of Alternatives 1 and 2, inclusion of at least 15% affordable housing and recommended studying the parking plan.

Applicant Andy Kasik provided additional information.

Public Hearing closed at 7:59 p.m.

MOTION: Councilmember Davis moved and Vice Mayor Larsson seconded the motion to approve Alternatives 1 and 2: 1) Initiate a study to consider amending a portion of Block 1a of the Downtown Specific Plan to change the primary land use designation to office including a possible increase in the height limit, prepare draft development standards, evaluate impacts to the Downtown parking district, evaluate project alternatives and prepare related Zoning Code amendments; and 2) Study an alternative land use scenario for a mixed use residential, office and retail use with potential R3 and R4 residential density including evaluating impacts to the Downtown parking district.

FRIENDLY AMENDMENT: Vice Mayor Larsson offered a friendly amendment to strike the language regarding R3 and R4 residential density; to still study residential, but not focus on a particular number.
Councilmember Davis accepted the friendly amendment.

MOTION AS AMENDED BY FRIENDLY AMENDMENT: Councilmember Davis moved and Vice Mayor Larsson seconded the motion to approve Alternatives 1 and 2: 1) Initiate a study to consider amending a portion of Block 1a of the Downtown Specific Plan to change the primary land use designation to office including a possible increase in the height limit, prepare draft development standards, evaluate impacts to the Downtown parking district, evaluate project alternatives and prepare related Zoning Code amendments; and 2) Study an alternative land use scenario for a mixed use residential, office and retail use including evaluating impacts to the Downtown parking district.

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

3 16-0041 Consider Draft 2016 Housing and Urban Development (HUD) Action Plan

Housing Officer Suzanne Isé provided the staff report.

Public Hearing opened at 8:22 p.m.

Stan Hendryx commended housing division staff for their work.

Sujatha Venkatraman, West Valley Community Services, spoke regarding the Haven to Home Program and expressed appreciation for the City's support.

Wanda Hale, Program Manager, Long Term Care Ombudsmen, expressed appreciation for the City's support of the program.

Matt Lewis, Project Manager, MidPen Housing, spoke in support of the recommendation.

Marie Bernard, Sunnyvale Community Services, provided an update on the housing for the victims of the Twin Pines Manor fire, and provided information regarding the Downtown Streets Team.

Public Hearing closed at 8:35 p.m.

MOTION: Councilmember Meyering moved to amend the draft to include a plan to preserve the affordability of mobile home units for lower income residents.
The motion died due to lack of a second.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Alternative 1: Approve the 2016 Action Plan as presented in Attachment 1 to the report, and authorize the City Manager to execute all required assurances and forms for submittal to HUD.

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 16-0163 Authorize the City Manager to Execute a Concession License Agreement between the City of Sunnyvale and KemperSports Management (dba KSM Sunnyvale, LLC.) for Certain Facilities at Sunnyvale Golf Course

Director of Public Works Manuel Pineda provided the staff report. City Manager Deanna Santana provided additional information.

Public Hearing opened at 8:43 p.m.
No speakers.
Public Hearing closed at 8:43 p.m.

MOTION: Councilmember Davis moved and Vice Mayor Larsson seconded the motion to approve Alternative 1: Authorize the City Manager to execute a concession license agreement for operation of certain areas and facilities at Sunnyvale Golf Course with KSM Sunnyvale, LLC, with three additional five year renewal options, in substantially the same form as in Attachment 1 of the report.

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

5 16-0258 Accept the Climate Action Plan Biennial Progress Report 2016 and Find that the Action is Exempt from Environmental Review under CEQA Guidelines Section 15378(b)(5)

Environmental Programs Manager Elaine Marshall provided the staff report. City Manager Deanna Santana, Director of Environmental Services John Stufflebean and Regulatory Programs Division Manager Melody Tovar provided additional information.

Public Hearing opened at 9:36 p.m.

Stan Hendryx spoke regarding the need to look at the impact of commuters and the impact of economic development and stated more housing is needed in Sunnyvale.

James Tuleya spoke in support of the long term plan and encouraged keeping it a

priority issue.

Barbara Fukumoto spoke in support of the progress made and in support of accelerating action to meet goals and GHG reduction targets sooner.

John Cordes spoke regarding the need to become a leader in environmental issues and become more aggressive regarding transportation issues. Cordes suggested the City join the Sierra Club Ready for 100 program.

Public Hearing closed at 9:48 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Martin-Milius seconded the motion to approve Alternatives 1 and 2: 1) Find that the action is exempt from environmental review under CEQA Guidelines Section 15378(b)(5) and accept the Climate Action Plan Biennial Progress Report 2016; and 2) Approve the recommended changes to the CAP reduction measures and performance indicators as shown in Attachment 2.

MOTION: Councilmember Meyering moved to amend the motion to include an annual requirement that the City conduct air quality tests at ground level in each of the four geographic quadrants of Sunnyvale.
The motion 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

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Davis reported his attendance at a meeting of the ABAG General Assembly meeting.

Councilmember Martin-Milius reported her attendance at a SR 85 meeting and Legislative Action Days.

NON-AGENDA ITEMS & COMMENTS

-Council

None.

-City Manager

City Manager Deanna Santana reported the American Public Works Association Silicon Valley Division awarded the City an award for Park of the Year for Seven Seas Park, Streets Project of the Year for the Hendy Avenue and Sustainable Green Project of the Year for the Storm System Trash Capture Project.

INFORMATION ONLY REPORTS/ITEMS

16-0317	Tentative Council Meeting Agenda Calendar
16-0274	Information/Action Items
16-0394	Notice of Public Works Director's Decision on Final Maps (Information Only)
16-0453	Update on Response to Twin Pines Manor Fire
16-0441	Board/Commission Meeting Minutes

ADJOURNMENT

Mayor Hendricks adjourned the meeting at 10:19 p.m.