City of Sunnyvale

Meeting Minutes - Final

City Council

Tuesday, January 10, 2017 **7:00 PM** **Council Chambers, City Hall, 456 W. Olive Ave., Sunnyvale, CA 94086**

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: 6 - Mayor Glenn Hendricks
Vice Mayor Gustav Larsson
Councilmember Jim Griffith
Councilmember Tara Martin-Milius
Councilmember Jim Davis
Councilmember Larry Klein

Absent: 1 - Councilmember Pat Meyering

SPECIAL ORDER OF THE DAY

City Manager Deanna Santana introduced Director of Public Safety Phan Ngo.

Director of Public Safety Ngo provided introductory remarks.

1 17-0001 Certification of November 8, 2016 Election Results - Council Seats 4, 5, 6 and 7

City Clerk Kathleen Franco Simmons provided the staff report.

Public Hearing opened at 7:08 p.m.
No speakers.
Public Hearing closed at 7:08 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Davis seconded the motion to adopt the Resolution reciting the fact of the General Municipal Election held November 8, 2016 to fill the Offices of City Council Seats 4, 5, 6 and 7, declaring the results and such other matters as provided by law.

The motion carried by the following vote:

Yes: 6 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Martin-Milius
Councilmember Davis
Councilmember Klein

No: 0

Absent: 1 - Councilmember Meyering

17-0002 SPECIAL ORDER OF THE DAY - Recognition of Outgoing Councilmembers

Mayor Hendricks recognized former Mayors Julia Miller, Dianne McKenna, Tony Spitaleri, Melinda Hamilton and former Councilmember Moylan in attendance.

Mayor Hendricks made a presentation in recognition of Councilmember Larry Klein on completion of the partial term of August 16, 2016 to date.

Mayor Hendricks made a presentation in recognition of outgoing Councilmember Jim Davis.
Councilmember Davis provided outgoing remarks.

Mayor Hendricks made a presentation in recognition of outgoing Councilmember Tara Martin-Milius.
Councilmember Martin-Milius provided outgoing remarks.

Mayor Hendricks extended remarks in recognition and appreciation of the service of outgoing Councilmember Pat Meyering who was not able to attend the meeting.

17-0005 SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Councilmembers-Elect

The ceremonial Oath of Office for Larry Klein was administered by Former Mayor Diane McKenna. Councilmember Klein provided incoming remarks and took his seat at the dais.

The ceremonial Oath of Office for Michael Goldman was administered by his wife, Miyuki Iwata Goldman. Councilmember Goldman provided incoming remarks and

took his seat at the dais.

The ceremonial Oath of Office for Russ Melton was administered by his father, John Melton. Councilmember Melton provided incoming remarks and took his seat at the dais.

The ceremonial Oath of Office for Nancy Smith was administered by Adarsh Hiremath. Councilmember Smith provided incoming remarks and introduced Adarsh Hiremath, Grace Chen and Joshua Cooper, and took her seat at the dais.

ROLL CALL

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

ORAL COMMUNICATIONS

Vice Mayor Larsson announced Board and Commission recruitment and an upcoming application deadline.

Chris Moylan introduced himself as the new District Director for Congressman Ro Khanna.

Assemblymember Marc Berman, 24th Assembly District, provided remarks in appreciation of the outgoing Councilmembers and incoming Councilmembers.

Zachary Kaufman spoke regarding the certification of the Environmental Impact Report and traffic analysis for Butcher's Corner.

Melinda Hamilton, President, Sunnyvale Education Foundation, announced an upcoming event.

Maria Pan addressed the Council regarding the certification of the 2011 election results.

Amanda Montez, Silicon Valley Leadership Group, addressed the Council.

PUBLIC HEARINGS/GENERAL BUSINESS

2 17-0006 Selection of Mayor for a Two-Year Term Effective January 10, 2017

City Clerk Kathleen Franco Simmons provided the staff report.

Public hearing opened at 7:22 p.m.
No speakers.
Public hearing closed at 7:25 p.m.

Mayor Hendricks called for nominations for Mayor.

Vice Mayor Larsson nominated Glenn Hendricks for an additional term as Mayor.
Glenn Hendricks accepted the nomination.

As there was only one nomination, Glenn Hendricks was selected to serve as Mayor for a two-year term expiring on the first regular meeting in January 2019.

3 17-0007 Selection of Vice Mayor for a One-Year Term Effective January 10, 2017

City Clerk Kathleen Franco Simmons provided the staff report.

Mayor Hendricks called for nominations for Vice Mayor.

1st nomination: Councilmember Goldman nominated Russ Melton for Vice Mayor.
Councilmember Melton accepted the nomination.

2nd nomination: Councilmember Smith nominated Gustav Larsson for Vice Mayor.
Gustav Larsson accepted the nomination.

3rd nomination: Councilmember Griffith nominated Larry Klein for Vice Mayor.
Larry Klein accepted the nomination.

Mayor Hendricks closed nominations.

Councilmember Melton provided a candidate statement.
Vice Mayor Larsson provided a candidate statement.
Councilmember Klein provided a candidate statement.

VOTE on 1st nomination for Vice Mayor - Melton:

Yes: 2 - Councilmember Melton
Councilmember Goldman

No: 0

Abstain: 5 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Klein
Councilmember Smith

VOTE on 2nd nomination for Vice Mayor - Larsson:

Yes: 3 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Smith

No: 0

Abstain: 4 - Councilmember Griffith
Councilmember Klein
Councilmember Melton
Councilmember Goldman

VOTE on 3rd nomination for Vice Mayor - Klein:

Yes: 2 - Councilmember Griffith
Councilmember Klein

No: 0

Abstain: 5 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Smith
Councilmember Melton
Councilmember Goldman

Tie-breaker VOTE on nomination for Vice Mayor - Melton:

Yes: 2 - Councilmember Melton
Councilmember Goldman

No: 0

Abstain: 5 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Griffith
Councilmember Klein
Councilmember Smith

Tie-breaker VOTE on nomination for Vice Mayor - Klein:

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

No: 0

Abstain: 2 - Councilmember Melton
Councilmember Goldman

2nd round VOTE on nomination for Vice Mayor - Larsson:

Yes: 4 - Mayor Hendricks
Vice Mayor Larsson
Councilmember Smith
Councilmember Melton

No: 0

Abstain: 3 - Councilmember Griffith
Councilmember Klein
Councilmember Goldman

Mayor Hendricks declared Council has selected Gustav Larsson to serve as Vice Mayor for a one year term effective January 10, 2017, expiring on the first regular meeting in January 2018.

CONSENT CALENDAR

Councilmember Goldman requested to pull Item 1.B.

MOTION: Vice Mayor Larsson moved and Councilmember Klein seconded the motion to approve Consent Calendar Item 1.A.

The motion carried by the following vote:

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

No: 0

1.A 17-0008 Approve the 2017 City Council Regular Meeting Calendar

Adopt a Resolution Establishing the 2017 City Council Regular Meeting Calendar through February 2018 as submitted.

1.B 16-1166 Adopt a Resolution Authorizing the City Manager to Execute a Loan Guaranty in an Amount Not to Exceed $1,020,000 plus Enforcement Costs with River City Bank

Director of Finance Tim Kirby responded to Council questions.

Public Hearing opened at 8:47 p.m.
No speakers.
Public Hearing closed at 8:47 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Griffith seconded the motion to adopt a Resolution Authorizing the City Manager to Execute a Loan Guaranty in an Amount Not to Exceed $1,020,000 plus up to 67% of any Enforcement Costs with River City Bank for the Silicon Valley Clean Energy Authority.

The motion carried by the following vote:

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

No: 0

PUBLIC HEARINGS/GENERAL BUSINESS

4 17-0010 Annual Public Hearing - Discussion of Potential Council Study Issues and Budget Issues for Calendar Year 2017

Senior Management Analyst Yvette Blackford provided the staff report and stated supplemental Study Issues/Budget Issues Workshop packet materials will be provided on February 10. City Manager Santana provided additional information.

Public Hearing opened at 8:52 p.m.

Jim Quaderer, Chair of the SNAIL TV Reception Committee, spoke regarding the decrease in over-air television reception by new tall buildings and recommended

creation of a policy to assess the number of homes that will be affected by new development.

Dr. Gary Gold, Optometrist, spoke regarding land use, limited parking in downtown and downtown diversification, and recommended eliminating restrictions on parking.

Enid Fox, Sunnyvale Mobile Home Park Alliance, spoke regarding mobile home space rents, services and other financial obligations of mobile home owners.

Sandra Skolnik requested Council put a high priority on mobile home rent control.

Fred Kameda spoke regarding the impact of higher mobile home park rental rates on people on fixed incomes or have lower incomes.

Dave King requested a study issue to evaluate the effect of high-rise development on over-air TV reception and loss of TV signal.

Mike McCarthy, President of Plaza Del Rey Residents Association, provided information regarding an agreement reached with Carlyle Group with the assistance of Project Sentinel.

Dave Kingery, Managing Director with Carlyle Group, spoke regarding an agreement with Plaza Del Rey Mobile Home Group with the assistance of Project Sentinel, and stated opposition to rent control.

Sandra Delateur, Director of Tenant Resolution, Project Sentinel, spoke regarding the services provided in mitigating disputes between renters and land owners.

Diane Gleason spoke regarding the impacts of development to the SNAIL neighborhood and spoke in support of a study issue on rent control and a study issue on impacts of high rise developments on TV reception.

John Cordes, Bicycle and Pedestrian Advisory Commission member speaking for himself, spoke in support of Study Issues CDD 17-03 Rent Stabilization for Mobile Home Parks, 17-06 Rent Stabilization Ordinance, 17-05 Consider Revising Certain Requirements of Sunnyvale Municipal Code Chapter 19.72: Mobile Home Park Conversions, CDD 11-02 Downtown Development Policies for Parking, CDD 17-08 Evaluation of the Residential Single-Story Combining District Process, a new study issue for on-air TV reception, LCS 17-01 Consider Development of a Teen Center and Other Spaces Dedicated to Teens in Sunnyvale, ESD 17-01 Eliminate the Use

of Chemical Pesticides on City Owned or Leased Property, LCS 17-02 Potential Membership in the Global Network of Age-Friendly Cities and Communities (GNAFCC), DPS 17-01 Regulation of Marijuana Cultivation in the City of Sunnyvale for Research and Development and Medical Marijuana Cultivation for Personal Use, DPS 17-02 Bicycle and Pedestrian Collision Analysis, DPW 17-07 Develop Mobile Version of Sunnyvale Bicycle Map, DPW 13-10C Pilot Bicycle Boulevard Project on East-West and North-South Routes and DPW 16-10 Consider Sunnyvale Municipal Code Amendments to Clarify, Strengthen and Enforce Tree Preservation and Tree Planting Requirements within Right of Way and Public and Private Property.

Joyce Loewy spoke regarding the need to stabilize mobile home park rents and lease agreements, and in support of studying rent stabilization or some form of rent control.

Kevin Jackson, Bicycle and Pedestrian Advisory Commission Chair, reported the recommendations of the commission to support: DPW 17-01 Develop Implementation Standards for Cycle Tracks / Separated Bikeways, DPW 17-02 Develop Implementation Standards for “Bicycles May Use Full Lane” Regulatory Sign, DPW 17-07 Develop Mobile Version of Sunnyvale Bicycle Map and DPS 17-02 Bicycle and Pedestrian Collision Analysis.

Irene Murphy, Sunnyvale Downtown Association, requested a study issue regarding outdoor furniture and partitions on Murphy Avenue.

David Wessel encouraged a study issue regarding a wage theft ordinance.

Diana Miller, Project Manager of the Seniors Agenda, Department of Aging and Adult Services of Santa Clara County, spoke in support of the study issue regarding age-friendly cities.

Tim Kerr, Sunnyvale Home Alliance, spoke in support of the rent stabilization study issue.

Pace Barker, Carlyle Group, reiterated comments of earlier speakers and spoke regarding the categories of residents in the Plaza Del Rey Mobile Home Park agreement and the fair compromises taking place.

Public Hearing closed at 9:51 p.m.

Councilmember Klein sponsored a study issue to consider making a Class 1 trail,

separate, off road, next to the Caltrain tracks, on Evelyn Avenue between Sunnyvale and Mountain View to create usable open space by converting the two bike lanes along Evelyn into separated Class 1 trail and make a pedestrian and user friendly connection between downtown Sunnyvale and downtown Mountain View and the Caltrain stations and Stevens Creek Trail.
Councilmember Melton and Vice Mayor Larsson co-sponsored the study issue.

Councilmember Klein sponsored a study issue to close the loophole in the City Charter regarding special elections.
All Councilmembers co-sponsored the study issue.
Councilmember Griffith confirmed with the sponsor that the proposed study would include the appointment of a Charter Review Committee.

Councilmember Klein proposed to sponsor a study issue for a program to add benches throughout the City in the park strip.
There was no co-sponsor.

Councilmember Klein requested to bring back the wage theft study issue which was previously dropped in 2016.
Councilmembers Smith, Melton and Goldman co-sponsored the study issue.

Councilmember Smith requested more information regarding the requests about TV reception.

Councilmember Goldman proposed to sponsor a study issue to look at mandating electric heating and heat pumps for space and water heaters.
There was no co-sponsor.

5 17-0011 Approve the Proposed 2017 Priority Advocacy Issues and Long-term Legislative Advocacy Positions (LAPs)

Senior Management Analyst Yvette Blackford provided the staff report. City Manager Santana provided additional information and added working with the FAA on air noise to the list of items.

Public Hearing opened at 10:11 p.m.
No speakers.
Public Hearing closed at 10:11 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Griffith seconded the motion to approve Alternative 2: Approve the Proposed 2017 Priority Advocacy Issues and Council Policy Long term Advocacy Positions as proposed to be amended, with the addition of FAA aircraft noise (11 items plus the FAA aircraft

noise item).

The motion carried by the following vote:

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

No: 0

6 17-0012 Appoint Councilmembers to Intergovernmental Assignments; Ratify Appointments of Councilmembers made by Outside Agencies; Take action to Modify, Create, or Terminate Council Subcommittees

Senior Management Analyst Yvette Blackford provided the staff report.

1.a. Community Member Appointments

MOTION: Councilmember Griffith moved and Councilmember Melton seconded the motion to appoint David Simons to the VTA-Bicycle and Pedestrian Advisory Committee.

Public Hearing opened at 10:21 p.m.
No speakers.
Public Hearing closed at 10:21 p.m.

The motion carried by the following vote:

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

No: 0

1.b. Board and Commission Liaison Assignments

MOTION: Councilmember Griffith moved and Vice Mayor Larsson seconded the

motion to approve the Board and Commission Liaison Assignments with the exception of, in Table i. January - June 2017 Rotation Schedule, swapping Seats 3 and 5.

Public Hearing opened at 10:22 p.m.
No speakers.
Public Hearing closed at 10:22 p.m.

The motion carried by the following vote:

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

No: 0

1.c. Council Subcommittees - Standing Committees

Public Hearing opened at 10:29 p.m.
No speakers.
Public Hearing closed at 10:29 p.m.

MOTION: Councilmember Griffith moved and Councilmember Melton seconded the motion to approve the appointments of standing committees:
Subcommittee on Board & Commission Bylaws: Hendricks, Larsson, Melton
Community Event Grant Distributions: Smith, Klein, Melton
Santa Clara Unified School District Subcommittee: Melton, Hendricks
Sunnyvale Elementary School District Subcommittee: Klein, Goldman
Fremont Union High School District Subcommittee: Griffith, Smith
Cupertino Union School District Subcommittee: Larsson, Melton
and the cancellation of Study Paramedic Services as a Service to be Provided by the City of Sunnyvale.

The motion carried by the following vote:

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

No: 0

1.d. Appointments to External IGR Agencies

Councilmembers expressed interests and preferences in appointments to external intergovernmental agencies.

MOTION: Councilmember Griffith moved and Councilmember Melton seconded the motion to approve the following appointments to external IGR agencies:
Association of Bay Area Governments (ABAG) General Assembly: Klein
Bay Area Water Supply and Conservation Agency (BAWSCA) Board of Directors: Larsson
North Valley (NOVA) Job Training Consortium Workforce Board Nomination Committee: Larrson
Moffett Field Restoration Advisory Board (RAB): Melton
San Francisco Bay Area Regional Water System Financing Authority (RFA) Board of Directors: Larsson
South Bay Salt Ponds Restoration Project Stakeholders: Hendricks
Silicon Valley Clean Energy Authority (SVCEA) Board of Directors: Griffith
Valley Transportation Authority (VTA) Board of Directors: Hendricks
Policy Advisory Committee (PAC): Larsson
Policy Advisory Committee (PAC), Alternate: Smith
El Camino Real Rapid Transit Policy Advisory Board (PAB): Smith
El Camino Real Rapid Transit Policy Advisory Board (PAB), Alternate: Goldman
Water Emergency Transportation Authority Community Advisory Committee: Hendricks

The motion carried by the following vote:

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

No: 0

Following receipt of information by Director of Public Works Manuel Pineda regarding the infrequency of meetings of the Comprehensive County Expressway Planning Study Policy Advisory Board (PAB), Council did not appoint a member to the board.

MOTION: Councilmember Griffith moved and Councilmember Melton seconded the motion to approve the following appointments to external IGR agencies:
Grand Boulevard Task Force: Goldman
Grand Boulevard Task Force, Alternate: Smith

The motion carried by the following vote:

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

No: 0

MOTION: Councilmember Griffith moved and Vice Mayor Larsson seconded the motion to appoint Nancy Smith as Alternate to the Silicon Valley Clean Energy Authority (SVCEA) Board of Directors.

The motion carried by the following vote:

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

No: 0

MOTION: Councilmember Griffith moved and Vice Mayor Larrson seconded the motion to appoint Councilmember Klein as Primary to the State Route (SR) 85 Corridor Policy Advisory Board (PAB) and Councilmember Melton as Alternate to the State Route (SR) 85 Corridor Policy Advisory Board (PAB).

The motion carried by the following vote:

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

No: 0

Mayor Hendricks stated items in 2.b. Council Subcommittees - Ad Hoc Committees would be handled as agenda items at the next Council meeting and 2.d. Mayor's Task Force - Community Choice Energy would be terminated.

3.a. Appointments Made by Outside Agencies - Ratify Outside Agency Appointments

Mayor Hendricks requested Councilmembers let him know if they are interested in the alternate position for the Santa Clara County Airport Land-Use Commission (ALUC).

MOTION: Councilmember Griffith moved and Councilmember Klein seconded the motion to ratify outside agency appointments:
Cities Association of Santa Clara County (CASCC) Executive Board: Griffith
Santa Clara County Airport Land-Use Commission (ALUC): Hendricks
Santa Clara County Recycling and Waste Reduction Commission: Griffith

The motion carried by the following vote:

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

No: 0

7 17-0009 Determine the 2017 Seating Arrangements for City Council

By consensus and in order of seniority, Council determined the seating arrangements for 2017 as follows:

Mayor Hendricks will remain in the Mayor's seat;
Vice Mayor Larsson will remain in the seat to the Mayor's right (facing the audience);
Councilmember Griffith selected to remain the seat to the Mayor's left;
Councilmember Klein selected to remain in the seat to the Vice Mayor's right;
Councilmember Smith selected to take the seat to Councilmember Griffith's left;
Councilmember Melton selected to remain in the seat to Councilmember Klein's right;
Councilmember Goldman will take the seat to Councilmember Smith's left.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Griffith reported a Measure A or Measure B Advisory Board seat available and stated interested Councilmembers can submit a letter of interest to the Cities Association. Councilmember Griffith reported upcoming Cities Association votes for various seats on MTC, ABAG, and LAFCO.

Councilmember Melton stated support for Margaret Abe-Koga for the MTC or LAFCO seat.

Mayor Hendricks reported his attendance at a meeting of the Valley Transportation Agency Board in which the Next Nextwork was discussed. Mayor Hendricks requested to schedule a study session for VTA to provide infromation to Council.

NON-AGENDA ITEMS & COMMENTS

-Council

Councilmember Melton stated he was pleased that an agreement was reached with

Plaza Del Rey.

Councilmember Goldman proposed to sponsor a study issue regarding a requirement for new housing to have solar panels at the time of construction and that when the house is sold above a certain amount, there be some sort of energy improvement such as switching out a gas heater for an electric heater or adding dual pane windows.
There was no co-sponsor.

Councilmember Smith requested an update regarding airplane noise. City Manager Santana stated an information memo would be provided to Council and information will be posted on the website regarding the Surf Air pilot completion, data collection and due diligence by San Jose, and recent developments with SFO.

Councilmember Goldman listed individuals he wished to thank for their support.

-City Manager

City Manager Santana noted changes to the Tentative Council Meeting Agenda Calendar to reschedule the 4 p.m. Closed Session on January 24 to February 28, add the VTA presentation on January 31 or February 7, and add two study sessions on February 28 regarding a WPCP Project Update and a Mary Avenue Environmental Impact
Report check in.

Mayor Hendricks reported he is traveling to US Conference of Mayors in Washington, DC next week.

INFORMATION ONLY REPORTS/ITEMS

16-0065 Tentative Council Meeting Agenda Calendar

16-0362 Information/Action Items

ADJOURNMENT

Mayor Hendricks adjourned the meeting at 10:58 p.m.