



City of Sunnyvale

Meeting Minutes - Final City Council

Tuesday, February 7, 2017

4:30 PM

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

Special Meetings: Closed Session- 4:30 PM | Study Session- 6 PM | Regular Meeting- 7 PM

4:30 P.M. SPECIAL COUNCIL MEETING (Closed Session)

1 Call to Order in the West Conference Room

Vice Mayor Larsson announced the items for 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 4:32 p.m.

2 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

3 Public Comment

No speakers.

4 Convene to Closed Session

[17-0139](#)

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: Service Employees International
Union (SEIU)

[16-1134](#)

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 5:55 p.m.

6 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 6:01 p.m.

2 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

3 Public Comment

No speakers.

4 Study Session

[16-0087](#)

Board and Commission Interviews

Melanie Holthaus: Housing and Human Services Commission (1st preference),
Heritage Preservation (2nd preference)

Daniel Howard: Planning Commission
Daryoush Nafar: Planning Commission

5 Adjourn Special Meeting

Vice Mayor Larsson adjourned the meeting at 6:48 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: 7 - Mayor Glenn Hendricks
Vice Mayor Gustav Larsson
Councilmember Jim Griffith
Councilmember Larry Klein
Councilmember Nancy Smith
Councilmember Russ Melton
Councilmember Michael S. Goldman

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, Employee organization: Service Employees International Union (SEIU); nothing to report.

Vice Mayor Larsson reported the Council met in Closed Session Closed Session held pursuant to California Government Code Section 54956.8: Conference with Real Property Negotiators, "Block 15 Affordable Housing Site" located at 365-407 S. Mathilda Avenue and 388-406 Charles Street; nothing to report.

SPECIAL ORDER OF THE DAY

[17-0194](#) SPECIAL ORDER OF THE DAY - National African American History Month

Mayor Hendricks presented a proclamation in recognition of National African American History Month.

[17-0197](#) SPECIAL ORDER OF THE DAY - National Slavery and
Human Trafficking Prevention Month

Mayor Hendricks presented a proclamation in recognition of National Slavery and Human Trafficking Prevention Month.

[17-0212](#) SPECIAL ORDER OF THE DAY - Certificate of Recognition to
Director of Environmental Services Upon His Retirement

Mayor Hendricks presented a certificate to John Stufflebean in recognition of his retirement and over 5 years of service to the City.

ORAL COMMUNICATIONS

Councilmember Melton announced board and commission vacancies and an extended Board and Commission application deadline.

Jeanine Stanek, Heritage Park Museum, welcomed new Councilmembers and the new Chief of Public Safety, and announced upcoming events of the museum.

CONSENT CALENDAR

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

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 [17-0018](#) Approve City Council Meeting Minutes of January 24, 2017
Approve the City Council Meeting Minutes of January 24, 2017 as submitted.

1.B [17-0019](#) Approve City Council Meeting Minutes of January 31, 2017
Approve the City Council Meeting Minutes of January 31, 2017 as submitted.

1.C [16-1042](#) 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** [17-0056](#) Award of Contract for the Corporation Yard Site Feasibility and Modernization Plan (F17-010) and Approval of Budget Modification No. 30 in the Amount of \$81,724

1) Award a contract in substantially the same form as Attachment 1 to the report and in an amount not to exceed \$259,749 to Kappe Architects 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 \$25,975; and 3) approve Budget Modification No. 30 in the amount of \$81,724 to provide additional project funding.

- 1.E** [17-0145](#) Approve the Third Amendment to Outside Counsel Agreement with Bertrand, Fox & Elliot for Litigation Services

Authorize the City Attorney to execute a Third Amendment, in substantially the same form as Attachment 1 to the report, to the Outside Counsel Agreement with the law firm of Bertrand, Fox & Elliot to increase the not to exceed amount by \$100,000, for a new not to exceed contract amount of \$325,000.

- 1.F** [17-0163](#) Adopt Ordinance No. 3108-17 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone certain 54 Contiguous Properties located between Carlisle Way, Dartshire Way and Mallard Way from R-0 (Low Density Residential Zoning District to R-0/S (Low Density Residential/Single-Story) Zoning District

Adopt Ordinance No. 3108-17.

- 1.G** [17-0164](#) Adopt Ordinance No. 3109-17 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone certain 25 Contiguous Properties located between Torrington Drive on the North Side, Sesame Drive on the West Side and includes Snowberry Court from R-1 (Low Density Residential) Zoning District to R-1/S (Low Density Residential/Single-Story) Zoning District

Adopt Ordinance No. 3109-17.

- 1.H** [17-0206](#) Adopt Ordinance No. 3110-17 to Repeal Chapter 9.54 (Human Habitation of Vehicles) of Title 9 (Public Health, Safety & Welfare) and Amend Section 10.16.140 (Parking for Certain Purposes Prohibited) of Chapter 10.16 (Parking

Regulations) of Title 10 (Vehicles and Traffic) of the
Sunnyvale Municipal Code

Adopt Ordinance No. 3110-17.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [17-0072](#) Authorize the City Manager to Explore a Partnership with the Sunnyvale School District for the Joint Development and Operations of the Lakewood Branch Library and Learning Center

Director of Library and Community Services Cynthia Bojorquez provided the staff report.

Public Hearing opened at 7:18 p.m.

Daniel Bremond, speaking for himself, spoke in support of Alternative 1.

Public Hearing closed at 7:18 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Smith seconded the motion to approve Alternative 1: Authorize the City Manager to proceed with a feasibility study and to explore a partnership with the Sunnyvale School District for the joint development and operations of a Lakewood Branch Library and Learning Center.

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

- 3** [16-0664](#) Next Steps and Possible Options for the Sale of Property Located at 1050 & 1060 Innovation Way (Onizuka) and approval of Budget Modification No. 28

Director of Public Works Manuel Pineda provided the staff report. City Manager Deanna Santana provided additional information and noted a correction to a typo

on page 5 of the staff report: under Fiscal Impact, the Budget Modification states \$25,000 but the staff recommendation is to appropriate \$20,000. Director of Community Development Trudi Ryan and City Attorney John Nagel provided additional information.

Public Hearing opened at 7:49 p.m.

Alison Coy, Coordinator of Educational Operations, Fremont Union High School District, spoke regarding the Middle College dual enrollment program.

Lori Riehl, Coordinator of Pathways to Postsecondary Success, Fremont Union High School District, spoke regarding the Middle College dual enrollment program.

Bryan Emmert, Principal, Fremont High School, spoke in support of access to students on the North side of Sunnyvale.

Christine Mallery, Chief Business Officer, Fremont Union High School District, stated they had not heard the property had been surplus.

Thuy Thi Nguyen, President, Foothill College, spoke regarding the potential for an innovative partnership with the City and stated students of color do well in a dual enrollment program.

Pearl Cheng, Foothill-DeAnza Board of Trustees, stated the district is in support of the initiative and ready to work with the City. Cheng stated Tyrus Miller, Vice Provost and Dean of Graduate Studies, UC Santa Cruz, was unable to attend the meeting due to the weather and read his remarks.

Dr. Judy Miner, Chancellor, Foothill-De Anza Community College District, spoke regarding the vision for the facility and shared a top ten list in support of their tripartite mission in Sunnyvale.

Public Hearing closed at 8:19 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Klein seconded the motion to approve Alternatives 1, 2, and 4: 1) Direct staff to proceed with a Request for Proposal for real estate broker services for the sale of the property on the open market and allowing at least 6 months from today at minimum to receive proposals; 2) Direct staff to proceed with the drafting of an amendment to the Moffett Park Specific Plan for City Council consideration at a future date to allow higher floor area ratio in connection with redevelopment of the Onizuka Parcels as described in

the report, and 4) Approve Budget Modification No 28 to Appropriate \$20,000 for updated appraisals and a Phase I Environmental Assessment.

FRIENDLY AMENDMENT: Councilmember Griffith offered a friendly amendment that when it goes out for a RFP that priority will be given to proposals that provide educational services or amenities that serve or otherwise complement the Moffett Park Business Area.

Vice Mayor Larsson and Councilmember Klein accepted the friendly amendment.

Councilmember Griffith further clarified that additional offices don't necessarily fall into that definition.

Vice Mayor Larsson concurred.

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

4 [17-0205](#) Appoint a Council Representative to the Santa Clara Valley
Water District Water Commission

Senior Management Analyst Yvette Blackford provided the staff report.

Public Hearing opened at 8:51 p.m.

No speakers.

Public Hearing closed at 8:51 p.m.

Councilmember Smith expressed interest in the position.

MOTION: Vice Mayor Larsson nominated Councilmember Smith to serve as the City's primary representative to the Santa Clara Valley Water District Water Commission. Councilmember Klein seconded the motion.

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

Councilmember Klein expressed interest in the alternate position.

MOTION: Vice Mayor Larsson nominated Councilmember Larry Klein to serve as the City's alternate representative to the Santa Clara Valley Water District Water Commission. Councilmember Smith seconded the motion.

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

- 5** [17-0070](#) Approve the Statement on Our City Values and Public Service Affirming the City of Sunnyvale's Commitment to Serving Our Diverse Community in a Respectful, Equitable, and Inclusive Manner

City Manager Deanna Santana provided the staff report.

Public Hearing opened at 9 p.m.

No speakers.

Public Hearing closed at 9 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Smith seconded the motion to approve Alternative 1: Approve and authorize the Mayor to sign the Statement on Our City Values and Public Service affirming commitment to serving our diverse community in a respectful, equitable, and inclusive manner attached as Attachment 1 to the report; with modifications to change the word "disability" to "level of ability" and the addition of "race, religion and ancestry" to the first bullet

one page one to align with the similar list on page two.

FRIENDLY AMENDMENT: Councilmember Griffith offered a friendly amendment to direct staff to look into rather than the change to the term “disability,” to give staff the discretion to determine whether “disability” is an appropriate or inappropriate word to use and come up with the right language.

Vice Mayor Larsson and Councilmember Smith accepted the friendly amendment.

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 approval, Mayor Hendricks read the Statement on Our City Values and Public Service and ceremonially signed the document.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

None.

NON-AGENDA ITEMS & COMMENTS

-Council

None.

-City Manager

City Manager Santana announced a change to the Tentative Council Meeting Agenda Calendar that the Closed Session of February 21 will be rescheduled to February 28 at 4 p.m., and stated the two board and commission applicant interviews currently scheduled for February 21 may also be rescheduled.

INFORMATION ONLY REPORTS/ITEMS

[17-0021](#)

Tentative Council Meeting Agenda Calendar

[17-0015](#)

Information/Action Items

ADJOURNMENT

Mayor Hendricks adjourned the meeting at 9:12 p.m.