



# City of Sunnyvale

## Meeting Minutes - Final City Council

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Tuesday, February 28, 2017

4:30 PM

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

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**Special Meeting: Closed Session-4:30 PM | Study Session-5 PM | Study Session-6 PM |  
Regular Meeting-7 PM**

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

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.

#### **1 Call to Order in the West Conference Room**

Vice Mayor Larsson called the meeting to order at 4:30 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**

[17-0190](#)

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: Sunnyvale Employee Association  
(SEA)

#### **5 Adjourn Special Meeting**

Vice Mayor Larsson adjourned the meeting at 5:08 p.m.

### **5 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 5:12 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 Study Session**

[17-0030](#) Mary Avenue Overcrossing - Environmental Impact Report

#### **4 Public Comment**

Members of the public addressed the Council.

#### **5 Adjourn Special Meeting**

Vice Mayor Larsson adjourned the meeting at 6 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 6:02 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 Study Session**

[16-1102](#) Board and Commission Interviews

Council interviewed applicants for the following Boards and Commissions:

Avaninder Singh - Housing and Human Services Commission

Donald Rode - Housing and Human Services Commission

Murali Srinivasan - Planning Commission

Srikanthaiah (Ken) Hiremath - Housing and Human Services Commission,  
Planning Commission

**4 Public Comment**

No speakers.

**5 Adjourn Special Meeting**

Vice Mayor Larsson adjourned the meeting at 6:54 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 on February 17, 2017 pursuant to California Government Code Section 54957.6: Conference with Labor Negotiators, Employee organization: Sunnyvale Employee Association (SEA); nothing to report. Vice Mayor Larsson stated the report was given on February 17 in open session following the Closed Session.

Vice Mayor Larsson reported the Council met in Closed Session February 28, 2017 pursuant to California Government Code Section 54957.6: Conference with Labor Negotiators, Employee organization: Sunnyvale Employee Association (SEA); nothing to report.

### **SPECIAL ORDER OF THE DAY**

[17-0196](#) SPECIAL ORDER OF THE DAY - Arbor Day Celebration and Proclamation

Mayor Hendricks presented a proclamation to Urban Landscape Manager Leonard Dunn in recognition of Arbor Day.

[17-0261](#) SPECIAL ORDER OF THE DAY - American Red Cross Month

Mayor Hendricks presented a proclamation to Jim Yolk, American Red Cross of Silicon Valley in recognition of American Red Cross Month.

### **ORAL COMMUNICATIONS**

Nancy Smith announced the upcoming Fourth Annual Cesar Chavez Youth Action Day events.

Deborah Marks spoke regarding the City Hall building and offered suggestions for future use of the building as an art 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** [17-0078](#) Approve City Council Meeting Minutes of February 7, 2017  
Approve the City Council Meeting Minutes of February 7, 2017 as submitted.

- 1.B**      [16-1125](#)      Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Approve the list(s) of claims and bills.

- 1.C**      [17-0029](#)      Award a Multi-year Contract for National Pollutant Discharge Elimination System (NPDES) Permit Technical Support Services for the Water Pollution Control Plant (F17-074)

1) Award a five year contract, in substantially the same form as Attachment 1 to the report and in an amount, not to exceed \$1,600,000 to EOA, Inc., and authorize the City Manager to execute the contract when all necessary conditions are met.

- 1.D**      [17-0042](#)      Approve NOVA Strategic Local Plan and Approve NOVA as Career Services Provider at Sunnyvale NOVA Job Center

Approve the NOVA Strategic Local Plan and Approve NOVA to be the adult and dislocated worker career services provider at the Sunnyvale NOVA Job Center.

- 1.E**      [17-0052](#)      Award a Contract for the Installation of an Emergency Vehicle Traffic Signal Preemption System (F17-073) and Approve Budget Modification No. 33

1) Award a contract, in substantially the same form as Attachment 1 to the report and in an amount of \$535,488 to Emtrac Systems and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 2) Approve a 10% project contingency in the amount of \$53,549; 3) Approve a budget modification in the amount of \$262,963.

- 1.F**      [17-0088](#)      Award of Contract for Design and Construction Support Services for Traffic Signal Reconstruction at Mathilda Avenue and Indio Way (F17-009)

1) Award a design contract, in substantially the same format as Attachment 1 to the report in an amount not to exceed \$137,916 to TJKM for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and Approve a 10% design contingency in the amount of \$13,791.

## **PUBLIC HEARINGS/GENERAL BUSINESS**

- 2**      [16-0086](#)      Appoint Applicants to Boards and Commissions

City Clerk Kathleen Franco Simmons conducted paper ballot votes for Housing and Human Services Commission, Heritage Preservation Commission and Planning Commission, tallied the votes and reported the results. The vote tallies are as

follows:

HOUSING AND HUMAN SERVICES COMMISSION (1 term to 6/30/2017, 1 term to 6/30/2018)

Applicant: Melanie Holthaus

VOTE:

**Yes:** 0

**No:** 0

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

Applicant: Srikanthaiah (Ken) Hiremath

VOTE:

**Yes:** 5 - Vice Mayor Larsson  
Councilmember Griffith  
Councilmember Klein  
Councilmember Smith  
Councilmember Melton

**No:** 0

**Abstain:** 2 - Mayor Hendricks  
Councilmember Goldman

Applicant: Donald Rode

VOTE:

**Yes:** 1 - Councilmember Goldman

**No:** 0

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

Applicant: Avaninder Singh

VOTE:

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

**No: 0**

City Clerk Kathleen Franco Simmons announced two applicants received the requisite minimum number of four affirmative votes: Srikanthaiah (Ken) Hiremath received five affirmative votes and Avaninder Singh received seven affirmative votes.

MOTION: Councilmember Griffith moved and Councilmember Melton seconded the motion to appoint Avaninder Singh to the term expiring 6/30/2018.

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**

Avaninder Singh was appointed to the Housing and Human Services Commission to a term expiring 6/30/2018 and Srikanthaiah (Ken) Hiremath was appointed to the Housing and Human Services Commission to a term expiring 6/20/2017.

HERITAGE PRESERVATION COMMISSION (1 term to 6/30/2020)

Applicant: Melanie Holthaus

VOTE:

**Yes: 4 -** Vice Mayor Larsson  
Councilmember Smith  
Councilmember Melton  
Councilmember Goldman

**No: 0**

**Abstain:** 3 - Mayor Hendricks  
Councilmember Griffith  
Councilmember Klein

City Clerk Kathleen Franco Simmons announced Melanie Holthaus was appointed to the Heritage Preservation Commission to a term expiring 6/30/2020.

PLANNING COMMISSION (1 term to 6/30/2020)

Applicant: Daniel Howard

VOTE:

**Yes:** 5 - Vice Mayor Larsson  
Councilmember Griffith  
Councilmember Klein  
Councilmember Smith  
Councilmember Melton

**No:** 0

**Abstain:** 2 - Mayor Hendricks  
Councilmember Goldman

Applicant: Daryoush Nafar

VOTE:

**Yes:** 1 - Councilmember Goldman

**No:** 0

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

Applicant: Murali Srinivasan

VOTE:

**Yes:** 2 - Vice Mayor Larsson  
Councilmember Klein

**No:** 0

**Abstain:** 5 - Mayor Hendricks  
Councilmember Griffith  
Councilmember Smith  
Councilmember Melton  
Councilmember Goldman



City Clerk Kathleen Franco Simmons announced Daniel Howard was appointed to the Planning Commission to serve a term expiring 6/30/2020.

- 3**      [17-0082](#)      Consider Terms of Exclusive Negotiating Agreement (ENA) with The Related Companies of California, LLC for Development of Affordable Housing on City Property Located at 441-499 W. Iowa Avenue (APNs 165-130-74, 165-130-46, 165-130-68, 165-130-45, 165-130-73, and 165-130-69)

Director of Community Development Department Trudi Ryan provided the staff report. Housing Officer Suzanne Isé and City Manager Deanna Santana provided additional information.

Public Hearing opened at 7:50 p.m.

Development Applicant William Witte, CEO, Related California, provided information about the project.

Jan Stokley, Housing Choices, spoke regarding services provided for adults with developmental disabilities and encouraged support for this project.

Lisa Wolk encouraged support for the project to assist people with developmental disabilities with affordable housing.

Amy Jasper spoke regarding her son who has disabilities and spoke in support of the project.

James Uren expressed concerns regarding security and safety, and the impact of very low-income and Section 8 housing on property values.

Uday Vallamsetty expressed concerns regarding how the project will affect the neighboring community and the security and safety of the neighborhood.

Hannah Souvignier spoke in support of affordable apartments in Sunnyvale.

Teresa Souvignier spoke in support of affordable housing and services for people with developmental disabilities.

Michael Fischetti, Kaiser physician and member of the Santa Clara County Health Advisory Commission, spoke in support of housing for special needs units and differently-abled residents.

Marilyn Winkleby, Professor of Medicine at Stanford School of Medicine, spoke in support of housing for those with special needs.

Sara Kole spoke in support of the project.

Steve C. spoke in support of providing housing for handicapped people but expressed concerns regarding traffic on Charles, and encouraged inclusion of the neighborhood in the process.

Public Hearing closed at 8:23 p.m.

MOTION: Councilmember Griffith moved and Councilmember Smith seconded the motion to approve Alternative 1: Approve draft Exclusive Negotiating Agreement with The Related Companies of California, LLC for the development of the affordable housing project on Block 15; and authorize the City Manager to sign it in final form substantially consistent with Attachment 1 to the report and as approved by the City Attorney.

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

Council recessed at 8:55 p.m.

Council reconvened at 9:06 p.m. with all Councilmembers present.

- 4**      [16-0992](#)      Approve Loan and Regulatory Agreements with MP Edwina Benner Associates, LP for a Loan of \$7.43 Million in Housing Mitigation Funds and a Loan of \$600,000 in HOME Funds for Edwina Benner Plaza Affordable Housing Development at 460 Persian Drive and Approve Budget Modification No. 31

Housing Officer Suzanne Isé provided the staff report.

Nevada Merriman, Director of Housing Development, MidPen Housing, spoke

regarding the project. Matt Lewis, Project Manager, provided information regarding the construction schedule.

Public Hearing opened at 9:16 p.m.

No speakers.

Public Hearing closed at 9:16 p.m.

MOTION: Councilmember Klein moved and Vice Mayor Larsson seconded the motion to approve Alternatives 1 and 3: 1) Approve Budget Modification No. 31 in the amount of \$2,430,000 and the HMF Loan and Regulatory Agreements with MP Edwina Benner Associates, LP, with a loan amount of \$7.43 million, in substantially the form provided in Attachments 1 and 2 to the report, and authorize the City Manager to execute the Agreements in final form as approved by the City Attorney; and 3) Approve the HOME Loan and Regulatory Agreements with MP Edwina Benner Associates, LP in substantially the form provided in Attachments 3 and 4 to the report, with a loan amount of \$600,000, and authorize the City Manager to execute the Agreements in final form as approved by the City Attorney.

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**      [17-0191](#)      Adopt a Resolution Declaring City-Owned Property Located at 1484 Kifer Road (Unilever) as Surplus Property and Authorizing the Sale of the Unilever Property in Compliance with Government Code Section 54220 et seq. and approval of Budget Modification No. 32

Director of Public Works Manuel Pineda provided the staff report.

Public Hearing opened at 9:27 p.m.

No speakers.

Public Hearing closed at 9:27 p.m.

MOTION: Vice Mayor Larsson moved and Councilmember Smith seconded the motion to approve Alternatives 1 and 2: 1) Adopt a resolution declaring the City

owned property located at 1484 Kifer Road as surplus property for sale, and begin the public notice process pursuant to Government Code Section 54222; if any agencies offer to purchase the property, begin good faith negotiations and return to Council for consideration; and Approve Budget Modification No. 32 to appropriate \$15,000 for updated appraisals; and 2) If no offers are received pursuant to Government Code Section 54222 or price and terms cannot be agreed upon, then proceed with the sale of the properties on the open market via a Request for Proposal process.

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**

#### **COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

Vice Mayor Larsson reported that as the City's BAWSCA representative, he was appointed Chair of the Board Policy Committee and reported his attendance at a meeting of the Board Policy Committee in which water use targets were discussed.

Councilmember Smith reported her attendance at a meeting of the Caltrain Modernization Local Policymakers group in which an update regarding the high-speed rail project and Caltrain electrification projects were provided. Smith stated the Caltrain Modernization group has offered to give a presentation to the Council.

Mayor Hendricks asked anyone interested in serving as an alternate on the Caltrain Modernization Local Policymakers group to let him know.

Councilmember Klein reported his attendance at a meeting of the Cities Association in which a presentation on airplane noise was provided; reported that Councilmember Melton was appointed as the LAFCO alternate. Klein reported his attendance at a meeting of the State Route Corridor 85 Policy Advisory Board in which funding was discussed.

Councilmember Melton reported his attendance as an alternate at a meeting of the

Airport Land Use Commission. Melton reported his attendance at a meeting of the Cities Association Selection Committee in which he was appointed as an alternate to LAFCO and stated he has put his name in as a potential commissioner to San Francisco Bay Restoration Authority.

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

#### **-Council**

Councilmember Melton reported an email sent by City staff regarding the center divide on Homestead Road where trees may be planted near the Apple campus, and requested the issue be put on an agenda.

Mayor Hendricks stated he will work with Councilmember Melton offline.

Councilmember Klein announced an upcoming Silicon Valley Clean Energy outreach meeting.

#### **-City Manager**

City Manager Santana acknowledged staff for their work during the recent unprecedented storms and stated staff will reevaluate emergency preparedness and come back to Council with more information in the coming weeks.

Mayor Hendricks expressed appreciation to staff for their efforts during the storms.

### **INFORMATION ONLY REPORTS/ITEMS**

|                                |   |
|--------------------------------|---|
| <a href="#"><u>17-0077</u></a> | Tentative Council Meeting Agenda Calendar   |
| <a href="#"><u>17-0016</u></a> | Information/Action Items  |
| <a href="#"><u>17-0060</u></a> | Boards and Commissions Semi-Annual Attendance Report, July - December 2016 (Information Only)   |
| <a href="#"><u>16-0944</u></a> | Addition of Graphic Panels to the Orchard Heritage Park Interactive Exhibit (OHPIE) (Information Only)  |
| <a href="#"><u>17-0210</u></a> | Study Session Summary of January 31, 2017 - Valley Transportation Authority (VTA) Presentation on the Next Network Draft Plan for Proposed Changes to Transit in Sunnyvale (Information Only) |

### **ADJOURNMENT**

Mayor Hendricks adjourned the meeting at 9:44 p.m.