



# City of Sunnyvale

## Meeting Minutes - Final City Council

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Tuesday, November 29, 2016

5:00 PM

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

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**Special Meetings: Closed Session-5 PM | Special Meeting-6 PM**

### **5 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 5 p.m.

#### **2 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

#### **3 Public Comment**

None.

#### **4 Convene to Closed Session**

[16-1076](#)

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 Managers Association  
(PSMA)  
Employee organization: Sunnyvale Employee Association  
(SEA)

**5 Adjourn Special Meeting**

Vice Mayor Larsson adjourned the meeting at 5:25 p.m.

**6 P.M. SPECIAL 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 Jim Davis  
Councilmember Larry Klein  
**Absent:** 1 - Councilmember Pat Meyering

Mayor Hendricks stated Councilmember Meyering's absence is excused.

**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 organizations: Public Safety Managers Association (PSMA) and Sunnyvale Employee Association (SEA); nothing to report.

**ORAL COMMUNICATIONS**

Paul Besser spoke regarding airplane noise in Sunnyvale.

Ruz Malakuti spoke regarding increased airplane noise in Sunnyvale.

Zachary Kaufman spoke regarding the title of the November 28 Planning Commission item relating to Butcher's Corner.

Tony Guan spoke regarding airplane noise, provided a PowerPoint presentation and submitted written materials.

Lan Xu spoke regarding airplane noise, provided a PowerPoint presentation and submitted written materials.

Jing Liu spoke regarding airplane noise.

Carol Gao spoke regarding airplane noise.

Councilmember Griffith announced on behalf of the Santa Clara County National Heritage Area Project a proposal to designate Santa Clara County as a National Heritage Area and upcoming community outreach meetings.

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

**No:** 0

**Absent:** 1 - Councilmember Meyering

**1.A**     [16-1056](#)     Authorization to Amend an Existing Contract for Banking Services (F17-055)

1) Authorize the City Manager to execute an amendment to the existing contract with Union Bank, extending the contract by two years, from January 1, 2017 through December 31, 2018; and 2) authorize the City Manager to renew the contract for up to two (2) additional years.

**1.B**     [16-1057](#)     Modify an Existing Temporary Staffing Services Contract for the Purchasing Division of the Department of Finance (F17-056)

Authorize the City Manager to 1) execute an amendment to an existing contract with CSG Consultants, Inc., increasing the not-to-exceed value from \$90,000 to \$150,000 and extending the term of the agreement through June 30, 2017, and 2) increase the contract amount if necessary, not to exceed the department's

available budget.

- 1.C**      [16-1070](#)      Adopt a Resolution Authorizing the City Manager to Execute a Loan Guaranty in an Amount Not to Exceed \$1,020,000 with River City Bank and to Execute Other Necessary Documents

Adopt a Resolution Authorizing the City Manager to Execute a Loan Guaranty in an Amount Not to Exceed \$1,020,000 with River City Bank and to Execute Other Necessary Documents including a Memorandum of Understanding with the Silicon Valley Clean Energy Authority (SVCEA) and an Agreement to Subordinate the Initial Contribution made to the SVCEA.

**PUBLIC HEARINGS/GENERAL BUSINESS**

- 2**            [16-1015](#)      Authorize the City Manager to Negotiate Agreements for Subsequent Council Approval with the City of Milpitas and Other Jurisdictions Regarding SMaRT Station Processing of Recyclables, Yard Trimmings and Municipal Solid Waste

Director of Environmental Services John Stufflebean provided the staff report.

Public Hearing opened at 6:49 p.m.

No speakers.

Public Hearing closed at 6:49 p.m.

MOTION: Councilmember Griffith moved and Councilmember Martin-Milius seconded the motion to approve Alternatives 1 and 2: 1) Authorize the City Manager to negotiate and bring back to Council for approval an agreement with City of Milpitas for the SMaRT Station to process, transfer and market or dispose recyclables, yard trimmings and municipal solid waste, following completion of required environmental review under the California Environmental Quality Act (CEQA); 2) Authorize the City Manager to discuss SMaRT Station options with other jurisdictions such as City of Cupertino and, if appropriate, negotiate and present to Council for approval an agreement to direct materials to the SMaRT Station, subject to completion of any required environmental review under CEQA.

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

- 3**      [16-1084](#)      Discussion and Possible Action on Recreational and Medical Marijuana Issues and Next Steps for City Regulation of Marijuana

Public Safety Captain Carl Rushmeyer provided the staff report and responded to Council questions. City Manager Deanna Santana and Director of Public Safety Frank Grgurina provided additional information and responded to Council questions.

Public Hearing opened at 7:37 p.m.

Daniel Bremond requested the issue be placed as an agenda item for review by all City boards and commissions, and presented two overhead slides regarding the dangers of marijuana use.

George Bell spoke in opposition to marijuana sales in Sunnyvale and provided written materials.

Paul Besser expressed concerns regarding a complete ban on outdoor growing, forcing grows indoors and officer safety.

Public Hearing closed at 7:43 p.m.

Council comments and concerns included: consideration of investigation of outdoor grows in addition to indoor grows, regulation of edible marijuana, the importance of maintaining local control, officer safety, safety of youth and the public, interest for staff to come back to Council in the first half of 2017, a suggestion to start with a basic prohibition of marijuana sales in Sunnyvale, concerns regarding the potential for unintended use of edible marijuana by children, data regarding accidents related to marijuana use, environmental impacts of using electrical growing systems, support of the intent to prohibit storefront cash only businesses, public safety relating to delivery vehicles, and concurrence with asking some boards and commissions review the issue, specifically the Board of Library Trustees, Housing and Human Services Commission and Parks and Recreation Commission.

City Manager Santana stated she hoped the Council was in agreement with the matrix presented regarding bringing back ordinance language in the first quarter of 2017 and stated the matrix would be provided to Council as an information memo for the December 6 Council packet.

**ORAL COMMUNICATIONS (CONTINUED)**

Alice Zhang spoke regarding airplane noise and requested the issue be put on a priority list and requested the Council use the many volunteers who are working on the issue to assist.

Susan Gilbert spoke regarding the noise blight of airplane noise and requested the Council direct the City Attorney to request a postponement of the Surf Air trial period, request from San Jose Airport noise monitoring equipment to be installed in Sunnyvale, request flight data from San Jose Airport in particular on October 30, initiate direct communication with the FAA, and present regular updates to the public.

Mike Michitaka spoke regarding increased airplane noise in Sunnyvale.

Chao-Yang Lu spoke regarding airplane noise and resumed the PowerPoint presentation by earlier speaker Tony Guan.

**INFORMATION ONLY ITEMS**

City Manager Deanna reported that the TCMAC to be published this week will include a Council meeting to be held on January 31, 2017.

[16-0929](#)      Tentative Council Meeting Agenda Calendar

[16-1098](#)      Information/Action Items

**ADJOURNMENT**

Mayor Hendricks adjourned the meeting at 8:09 p.m.