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MINUTES
SUNNYVALE CITY COUNCIL
February 15, 2005

The City Council of the City of Sunnyvale adjourned from a 6:00 p.m. Study Session regarding a review of performance audit report of Fire Services Program in the West Conference Room, and met in regular session in the City Council Chambers, 456 West Olive Avenue, Sunnyvale, California at 7:00 p.m., with Mayor Chu presiding.

SALUTE TO THE FLAG

Mayor Chu led the salute to the flag.

ROLL CALL

PRESENT:	Mayor Dean J. Chu Vice Mayor Ron Swegles Councilmember Fred Fowler Councilmember Julia Miller Councilmember John Howe Councilmember Melinda Hamilton Councilmember Otto Lee
Staff Present:	Amy Chan, City Manager Joan Borger, Interim City Attorney Robert Paternoster, Director of Community Development Trudi Ryan, Planning Officer Gerri Caruso, Principal Planner Andrew Miner, Associate Planner Jamie McLeod, Associate Planner Mary Bradley, Finance Director Susan Ramos, City Clerk

PUBLIC ANNOUNCEMENTS

Council Member Hamilton made the following announcements on behalf of the Council:

- The City in partnership with the Foundation for Global Community will host the "Grow Your Own" organic gardening conference on Saturday, February 19 from 8:30 a.m. to 3:30 p.m. at the Sunnyvale Community Center at 550 East Remington Drive. For more information call (650) 328-7756 X629 or to register log on to www.globalcommunity.org/gyo.
- The Department of Public Safety's newly expanded VIPS (Volunteers in Public Safety) is currently seeking volunteers. For more information call the Volunteer Resources office at (408) 730-7533 or by email at volunteerresources@ci.sunnyvale.ca.us.

CONSENT CALENDAR
Council member Miller moved, and Council memberHamilton seconded to approve the Consent Calendar as presented. Motion carried unanimously.

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1.A. Approval of Draft Minutes (Regular Meeting of February 8, 2005)

1.B. Approval of Information/Action Items - Council Directions to Staff

Fiscal Items

1.C. RTC 05-053 List of Claims and Bills Approved for Payment by the City Manager (No. 234)
Staff Recommendation: Review list of bills.

Contracts

1.D. RTC 05-052 Award of Contract for the Maintenance of the City's Telephone System (No. F0402-31)
Staff Recommendation: It is recommended that Council award a three-year contract in an amount not to exceed $255,000 to Avaya Communication for the maintenance of the City's telephone system, including voice mail.

Other Items

1.E. RTC 05-054 Approval of Final Map (Tract No. 9631) – Classics at Sunnyvale Manor – 25 Single-family Homes by Classic Communities
Staff Recommendation: Accept the surety bonds, execute the Subdivision Agreement and approve the final map for Tract No. 9631.

1.F. RTC 05-047 2005 Boards and Commissions Work Plan
Staff Recommendation: Approve the Boards and Commissions Work Plan.

CITIZENS TO BE HEARD There were no public comments.

PUBLIC HEARINGS/GENERAL BUSINESS

2. RTC 05-048 General Plan Amendment Initiation Study From Mobile Home Residential to a Maximum Density of Medium Density Residential at 610 Alberta Avenue

Gerri Caruso, Principal Planner, presented the staff report and noted that a petition by the mobile home residents and an informational packet from Catholic Charities were submitted and copies placed on the Council dais. Staff responded to Council questions regarding zoning and potential impacts, number of units, scope of proposed study, the city's conversion ordinance, displacement procedures, other options and alternatives.

Vice Mayor Swegles clarified that one of the principals in this applicatoin had a working relationship with his firm, however, it did not directly involve him.

Mayor Chu opened the public hearing at 7:14 p.m.

Jeff Jacobs, Centex Homes, noted the applicant does not have a proposed project or drawings in place and clarified the purpose of this item. He advised that the developer held two informational meetings with the residents for comments. He deferred to Catholic Charities to provide information about their relocation program and services. He responded to Council questions regarding options and alternatives, impacts to renters and tenants, and to the conversion ordinance.

Gloria Ortega, Catholic Charities, provided an overview about their mission, goals and objectives and in particular their relocation programs and services. She responded to Council questions regarding communicating with the renters, cost of rent, relocation program guidelines, the appraisal process, and the conversion impact report.

Dee Keys, a member of the public, expressed opposition orally and in writing. She asked that consideration be placed on putting in manufactured homes. She responded to Council questions and referenced to a similar situation in Los Gatos where manufactured housing was supplemented for a rezone.

Mary Ann Gorski, a member of the public, expressed confidence in Council making the right decision based on comments received at last night's meeting and that the letter of the law will be adhered to by the mobile home park owners. She asked developers to be fair and equitable in purchasing the existing homes. She responded to Council questions regarding home ownership and rent increase.

Irene Dulfer, a member of the public, referenced a petition she submitted of 300 signatures requesting the park remain a senior mobile home park. She noted that the vacancy factor is not due to lack of interest to live there, but is due to the place being poorly maintained by the owners. She responded to Council questions regarding the petition and for rent sign in the mobile home park.

Walt Pfaller, member of the public, said he was informed by management in 2003 that the park would not be sold or converted. He expressed concerns about the conversion and relocation of residents. He responded to Council questions regarding home size, cost and age and rent increase.

Maria Nicholas, member of the public, stated she supports the conversion ordinance. She expressed concerns about relocation and displacement and appealed to keep the park open. In response to Council, she identified the poor physical condition of the park including roads repaving, sidewalks realignment, pool closed and partially filled with dirt, overgrown weeds, laundry room not clean and leaks, back fence is broken providing access to outsiders, limited electricity in the park, and weak water pressure.

Staff responded to Council that the State is responsible for monitoring and enforcing mobile home parks and related health and safety issues.

Elmer Weber, member of the public, expressed concerns about the rezone and other rezones in the past, and the maintenance issues that currently exist in the park. He stressed that the residents are seniors and live on a fixed income. He responded to Council questions about age of his home and rent increases.

Harriett Rowe, member of the public, suggested that if the park were maintained properly, the vacancy rate might improve and there would be no reason to convert. She also expressed concerns about the proposed density and that some dwellings would be on second stories which would affect seniors' interests.

Staff responded to Council questions about process and next steps if a study were approved.

Nick Stoll, member of the public, recommended Council vote for no action. He expressed concerns about displacing the residents.

Cathy Robinson, Charities Non Profit, noted that Centex Homes has approached them to assist in building low income housing on site. She responded to Council questions regarding dwelling unit size and space rents.

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Lynette Blackfield, member of the public, noted that three years ago her father, a current park resident, was told there would be no change in park ownership and rent. She observed that each resident in the park maintains their yards very well.

Jeff Jacobs, Centex Homes, clarified some of the comments raised about rent increases. He stated that the density and dwelling units have not been developed at this time. He said that he is sensitive to all of the concerns expressed tonight and will look into it. He asked Council to give an opportunity for Catholic Charities to look into this and come back with findings that he can bring back for Council consideration. He responded to Council questions about unit size, affordability for seniors, whether the units are for sale or rent, possible future uses, scope of park repairs, prioritizing park residents for new housing, and underground utilities. He stated that Centex would work collaboratively with the park owners to complete the maintenance repairs expeditiously and is open to the idea of creating unit affordability for seniors below BMR rates or exploring zoning options that would cater to a range of affordability.

Mayor Chu closed the public hearing at 8:40 p.m.

Vice Mayor Swegles moved and Council Member Fowler seconded to approve Alternative 2 with the following additions: 1) Direct staff to explore other opportunities for affordable housing to low and very low income households (below BMR), 2) look at the senior Los Gatos project alluded to by Dee Keys in terms of approaches taken, 3) give priority of housing units to the existing residents; and 4) to partner with Catholic Charities Housing, Silicon Valley Manufacturing Group, Housing Trust for the housing project.

Council Member Howe offered a friendly amendment to include that 1) the city adhere to the minimum requirements or better of the current conversion ordinance and 2) that the city is looking for ways to mitigate impacts to the mobile home park residents. The friendly amendment was accepted.

Motion carried 6-1, Council Member Lee dissented.

Council Member Howe moved and Vice Mayor Swegles seconded to direct staff to facilitate to resolve the health and safety violations cited by the residents by the mobile home park owner, and direct the preparation of a letter for the Mayor's signature to the State to look into the correction of the safety and health violations cited. Motion carried unanimously.

Mayor Chu declared a recess at 9:23 p.m. and reconvened the meeting at 9:39 p.m.

3. RTC 05-051 Appeal of a Decision by the Planning Commission Denying a Use Permit to Allow a Large Family Day Care to be Located Within 300 Feet of an Existing Large Family Day Care, for up to 14 Children Located at 717 Old San Francisco Road in an R-0 (Low-Density Residential) Zoning District

Andy Miner, Associate Planner, presented the staff report, assisted by Trudi Ryan, Planning Officer. He noted that additional materials were received by staff from users of the day care and copies are provided on the Council dais.

Staff responded to Council questions about enrollment, age, and other day cares within the 300 feet radius.

Mayor Chu opened the public hearing at 9:55 p.m.

Deepika Rao, daughter of Ramasatya K. Rao, Owner and Applicant, provided a Power point