



City of Sunnyvale

Meeting Minutes - Draft

City Council

Tuesday, October 25, 2022

6:00 PM

Telepresence Meeting: City Web Stream |
Comcast Channel 15 | AT&T Channel 99

**Special Meeting: Study Session - 6 PM | Regular Meeting - 7 PM | Joint Meeting with the
Sunnyvale Financing Authority - 7 PM (or soon thereafter)**

6 P.M. SPECIAL COUNCIL MEETING (Study Session)

Call to Order

Pursuant to Government Code Subdivision 54953(e), the meeting was conducted telephonically; pursuant to state law, the City Council made the necessary findings by adopting Resolution No. 1089-21, reaffirmed on September 27, 2022.

Vice Mayor Cisneros called the meeting to order at 6:00 p.m. via teleconference.

Roll Call

Present: 7 - Mayor Larry Klein
Vice Mayor Alysa Cisneros
Councilmember Gustav Larsson
Councilmember Glenn Hendricks
Councilmember Russ Melton
Councilmember Omar Din
Councilmember Anthony (Tony) Spitaleri

Mayor Klein, Vice Mayor Cisneros and all Councilmembers attended via teleconference.

Study Session

A [22-1010](#) Investigate Potential Locations, Funding, and Outreach for Overnight Warming Centers in the City of Sunnyvale During Inclement Weather (Study Issue - OCM 22-02)

Assistant City Manager Teri Silva provided the staff report and presentation.

Public Comment opened at 7:01 p.m.

Shaunn Cartwright shared a statistic regard unhoused deaths and concern that community activists were not invited to the study session.

Agnes Veith suggested community outreach include information on the numerous potential causes that may lead someone to become unhoused.

Marie Bernard voiced support for the City adding a staff person dedicating to addressing the needs of the unhoused population.

Linda Sell communicated support for the City to continue working with local non-profits to support the unhoused community and reexamining the former Sunnyvale Community Services building as a potential site for a warming shelter.

Mike Serrone shared support for a warming center in Sunnyvale.

Public Comment closed at 7:07 p.m.

Adjourn Special Meeting

Vice Mayor Cisneros adjourned the meeting at 7:12 p.m.

7 P.M. COUNCIL MEETING

CALL TO ORDER

Pursuant to Government Code Subdivision 54953(e), the meeting was conducted telephonically; pursuant to state law, the City Council made the necessary findings by adopting Resolution No. 1089-21, reaffirmed on September 27, 2022.

Mayor Klein called the meeting to order at 7:12 p.m. via teleconference.

ROLL CALL

Present: 7 - Mayor Larry Klein
Vice Mayor Alysa Cisneros
Councilmember Gustav Larsson
Councilmember Glenn Hendricks
Councilmember Russ Melton
Councilmember Omar Din
Councilmember Anthony (Tony) Spitaleri

Mayor Klein, Vice Mayor Cisneros and all Councilmembers attended via teleconference.

SPECIAL ORDER OF THE DAY

B [22-0579](#) Department of Public Safety Special Awards

The Department of Public Safety presented the 2022 Mid-Year Awards and Recognition to Public Safety staff and community members.

ORAL COMMUNICATIONS

Councilmember Larsson announced details of an upcoming Google and City of Sunnyvale Business Workshop and the November 8 Election.

Stephen Meier commented on the Department of Public Safety awards and requested the City explore additional revenue sources to help address unhoused needs, support for parks, etc.

Jose Mexicano communicated support for development on El Camino Real and ensuring new housing is affordable.

CONSENT CALENDAR

Public Comment opened at 7:35 p.m.

No speakers.

Public Comment closed at 7:35 p.m.

MOTION: Vice Mayor Cisneros moved and Councilmember Melton seconded the motion to approve agenda items 1.A through 1.H.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Cisneros
Councilmember Larsson
Councilmember Hendricks
Councilmember Melton
Councilmember Din
Councilmember Spitaleri

No: 0

1.A [22-0977](#) Approve City Council Meeting Minutes of October 11, 2022

Approve the City Council Meeting Minutes of October 11, 2022 as submitted.

- 1.B** [22-0978](#) Approve City Council Meeting Minutes of October 18, 2022
(Moffett Park Specific Plan: Affordable Housing/Community
Benefits Workshop)

Approve the City Council Meeting Minutes of October 18, 2022 as submitted.

- 1.C** [22-0189](#) 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** [22-0974](#) Authorize the Issuance of a Purchase Agreement with
Chemtrade Chemicals, LLC US for Purchase of Aluminum
Sulfate (Liquid Alum) at the Water Pollution Control Plant
(F23-046)

Take the following actions:

- Authorize the issuance of a purchase agreement to Chemtrade Chemicals, LLC
US in the amount not-to-exceed \$630,000; and
- Authorize to the City Manager to renew the purchase agreement for up to three (3)
additional one year periods and amend the not-to-exceed annual budgeted
amounts, subject to available budget and if pricing and service remain acceptable to
the City and continued participation with the Bay Area Clean Water Agencies.

- 1.E** [22-0680](#) Approve the Deaccession of the Untitled Ceramic Mural by
Artists Danny Sheu and Jeff Bordona (1998) from the City's
Permanent Art Collection

Approve the deaccession of the Untitled Ceramic Mural by artists Danny Sheu and
Jeff Bordona (1998) from the City's Permanent Art Collection.

- 1.F** [22-0921](#) Adopt a Resolution Authorizing the Application for the
California Department of Housing and Community
Development's Permanent Local Housing Allocation (PLHA)
Program

Adopt a Resolution authorizing the application for the California Department of
Housing and Community Development's Permanent Local Housing Allocation
Program.

- 1.G** [22-0960](#) Appoint Greg Biggs to the NOVA Workforce Board

Appoint Greg Biggs to the NOVA Workforce Board.

- 1.H** [22-1015](#) Adopt Ordinance No. 3200-22 to amend Section 9.62.090 (Loitering Prohibited During Certain Hours) of Chapter 9.62 (Public Parks) of Title 9 (Public, Peace, Safety or Welfare) of the Sunnyvale Municipal Code.

Adopt Ordinance No. 3200 22 to amend Section 9.62.090 (Loitering Prohibited During Certain Hours) of Chapter 9.62 (Public Parks) of Title 9 (Public Peace, Safety or Welfare) of the Sunnyvale Municipal Code.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [22-0973](#) Award Conditional Funding (Loans) for \$16 Million in Housing Mitigation Funds and Below Market Rate In-Lieu Funds for the Pre-development, Development and/or Rehabilitation of Four Affordable Housing Developments

Housing Officer Jenny Carloni provided the staff report and presentation.

Public Hearing opened at 7:54 p.m.

Robert Feign, MidPen Housing, shared a presentation on their proposed affordable housing developments at 1178 Sonora Court, 1171 Sonora Court and Carroll Inn at 174 Carroll Street.

Jose Lujano and Angel Macias, First Community Housing, shared a presentation on their proposed affordable housing development, Orchard Gardens.

Kalisha Webster, Senior Housing Advocate, Housing Choices, spoke in support of the staff recommendation and funding for the Orchard Gardens development.

Clare Meyerson communicated the services Housing Choices provides.

Michelle Wang spoke in support of the funding to support these affordable housing developments.

Public Hearing closed at 8:08 p.m.

MOTION: Councilmember Hendricks moved and Vice Mayor Cisneros seconded the motion to approve Alternative 1: Award conditional funding commitments for \$16

million in Housing Mitigation Funds and Below Market Rate In Lieu Funds for the predevelopment, development and/or rehabilitation to the projects listed in Attachment 3 to the report.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Cisneros
Councilmember Larsson
Councilmember Hendricks
Councilmember Melton
Councilmember Din
Councilmember Spitaleri

No: 0

- 3 22-0485** Public Hearing and Introduction of Ordinance: 1) Amending Various Sections of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code to Adopt by Reference the 2022 California Building, Residential, Mechanical, Plumbing, Electrical, Building Standards Administrative, Energy, Historical Building, Existing Building, and Green Building Standards Codes, and the International Property Maintenance Code, with Local Amendments and Related Findings; 2) Finding that the Action is Exempt from the California Environmental Quality Act

Chief Building Official Suzanne Park provided the staff report.

Public Hearing opened at 8:24 p.m.

Kristel Wickham shared recommendations for strengthening the Reach Code portions of the Ordinance.

Jimmy Apffel, Government and Community Relations Coordinator, Bloom Energy, spoke for further changes to the Sunnyvale Municipal Code to help address climate change challenges.

Barbara Fukumoto voiced support for Alternative 1 and for a renewed community outreach on the benefits of Reach Code measures.

Crystal Hernandez, Acterra Student Ambassador Program (ASAP), spoke in support of Alternative 1 and stronger Reach Code requirements.

Natalia Esparza, Silicon Valley Youth Climate Action, communicated support for a faster transition to electrification and support for electric vehicle charging infrastructure.

Linda Sell communicated support for the proposed Ordinance and for further development of the City's Reach Code.

Public Hearing closed at 8:39 p.m.

MOTION: Councilmember Din moved and Councilmember Larsson seconded the motion to approve Alternative 1: Introduce an Ordinance: 1) Amending various sections of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code to adopt by reference the 2019 California Building, Residential, Mechanical, Plumbing, Electrical, Building Standards Administrative, Energy, Historical Building, Existing Building, and Green Building Standards Codes, and the International Property Maintenance Code, with local amendments and related findings; 2) Finding that the Action is exempt from the California Environmental Quality Act (Attachment 1 to the report), as corrected on October 25, 2022.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Cisneros
Councilmember Larsson
Councilmember Hendricks
Councilmember Melton
Councilmember Din
Councilmember Spitaleri

No: 0

4 22-0531 Public Hearing and Introduction of Ordinance Amending Chapter 16.52 of the Sunnyvale Municipal Code to Adopt by Reference the 2022 California Fire Code with Local Amendments and Related Findings and Find that the Action is Exempt from the California Environmental Quality Act

Fire Marshall Stephanie Huang provided the staff report.

Public Hearing opened at 9:02 p.m.
No speakers.

Public Hearing closed at 9:02 p.m.

MOTION: Councilmember Melton moved and Councilmember Din seconded the motion to approve Alternative 1: Introduce an Ordinance amending Chapter 16.52 of the Sunnyvale Municipal Code to adopt by reference the 2022 California Fire Code with local amendments and related findings; and find that the Action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15308, 15305, and 15061.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Cisneros
Councilmember Larsson
Councilmember Hendricks
Councilmember Melton
Councilmember Din
Councilmember Spitaleri

No: 0

- 5 [22-0805](#) Adopt a Resolution Pursuant to Sunnyvale Municipal Code Section 2.07.040 Amending the List of Publicly Accessible Recreation and City Service Properties (PARCS) to add Three new Properties, Known as Wiser Park (APN: 205-21-002), Muwekma Park (APN: 205-22-035) and Corn Palace (APN: 213-74-059)

Public Works Director Chip Taylor provided the staff report.

Public Hearing opened at 9:07 p.m.

No speakers.

Public Hearing closed at 9:07 p.m.

MOTION: Councilmember Melton moved and Councilmember Hendricks seconded the motion to approve Alternative 1: Adopt a Resolution amending the list of PARCS properties to add three new properties, known as Wiser Park (APN: 20521002), Muwekma Park (APN: 20522035) and Corn Palace Park (APN: 21374059).

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Cisneros
Councilmember Larsson
Councilmember Hendricks
Councilmember Melton
Councilmember Din
Councilmember Spitaleri

No: 0

ADJOURNMENT TO JOINT MEETING OF THE CITY COUNCIL AND SUNNYVALE FINANCING AUTHORITY

Mayor Klein adjourned the Council meeting to the joint meeting of the City Council and Sunnyvale Financing Authority at 9:11 p.m.

7 P.M. (OR SOON THEREAFTER) JOINT MEETING OF THE CITY COUNCIL AND SUNNYVALE FINANCING AUTHORITY

Call to Order

Pursuant to Government Code Subdivision 54953(e), the meeting was conducted telephonically; pursuant to state law, the City Council made the necessary findings by adopting Resolution No. 1089-21, reaffirmed on September 27, 2022 and the Financing Authority made the necessary findings by adopting Resolution No. 1105-22FA, reaffirmed on September 27, 2022.

Authority Chair / Mayor Klein called the joint City Council and Sunnyvale Financing Authority meeting to order at 9:11 p.m. via teleconference.

Roll Call

Present: 7 - Authority Chair / Mayor Larry Klein
Authority Vice Chair / Vice Mayor Alysa Cisneros
Authority Member / Councilmember Gustav Larsson
Authority Member / Councilmember Glenn Hendricks
Authority Member / Councilmember Russ Melton
Authority Member / Councilmember Omar Din
Authority Member / Councilmember Anthony (Tony) Spitaleri

Authority Chair / Mayor Klein, Authority Vice Chair / Vice Mayor Cisneros and all Authority Members / Councilmembers attended via teleconference.

Oral Communications

None.

Consent Calendar

Public Hearing opened at 9:14 p.m.

None.

Public Hearing closed at 9:14 p.m.

MOTION: Authority Vice Chair Cisneros moved and Authority Member Melton seconded the motion to approve item 6.A.

The motion carried with the following vote:

Yes: 7 - Authority Chair Klein
Authority Vice Chair Cisneros
Authority Member Larsson
Authority Member Hendricks
Authority Member Melton
Authority Member Din
Authority Member Spitaleri

No: 0

6.A [22-0986](#) Approve Sunnyvale Financing Authority Meeting Minutes of September 27, 2022

Approve the Sunnyvale Financing Authority Meeting Minutes of September 27, 2022 as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS

7 [22-0985](#) Direction Regarding Returning to In-Person City Council, Board, Commission and Sunnyvale Financing Authority Meetings; Reconsider and Affirm Resolution Nos. 1089-21 and 1105-22FA; and Make Findings Pursuant to Government Code Section 54953(e) (AB 361) to Continue Virtual Public Meetings for the City Council and Boards, Commissions, Council Subcommittees and the Sunnyvale Financing Authority During the COVID-19 State of Emergency

City Clerk David Carnahan provided the staff report and presentation.

Public Hearing opened at 10:12 p.m.

Steve Scandalis communicated support for transitioning public meetings back to in-person while maintaining the virtual public participation option. He offered suggestions to update the Code of Ethics and Conduct for Elected and Appointed Officials to address remote participation by officials.

Public Hearing closed at 10:15 p.m.

City Council:

MOTION: Councilmember Hendricks moved and Councilmember Din seconded the motion to approve Alternative: 1. Affirm Resolution No. 1089-21; and make findings pursuant to Government Code Section 54953(e) (AB 361) to continue virtual public meetings for the City Council and Boards, Commissions and Council Subcommittees during the COVID-19 State of Emergency:

1. The City Council hereby finds that the state of emergency conditions related to COVID-19, as set forth in Resolution No. 1147-22 adopted on September 27, 2022 and incorporated herein by reference, are on-going;

2. The City Council finds that there is a need to continue teleconferencing for public meetings without posting the teleconferencing locations on the agenda and without requiring the teleconference locations to be accessible to the public during the current Governor-proclaimed COVID-19 state of emergency; and

3. The City Council finds that the state of emergency continues to directly impact the ability of members of the City Council, Council Standing Committees, and City Boards and Commissions to meet safely in person.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Cisneros
Councilmember Larsson
Councilmember Hendricks
Councilmember Melton
Councilmember Din
Councilmember Spitaleri

No: 0

Sunnyvale Financing Authority:

MOTION: Authority Member Hendricks moved and Authority Member Din seconded the motion to approve Alternative 4: Affirm Resolution No. 1105-22FA; and make findings pursuant to Government Code Section 54953(e) (AB 361) to continue virtual public meetings for the Financing Authority during the COVID-19 State of Emergency:

1. The Financing Authority Board has found and determined that the state of emergency conditions related to COVID-19, as set forth in City of Sunnyvale Resolution No. 1147-22 adopted on September 27, 2022, and incorporated herein by reference, are on-going;

2. The Financing Authority Board finds that there is a need to continue teleconferencing for public meetings without posting the teleconferencing locations on the agenda and without requiring the teleconference locations to be accessible to the public during the current Governor-proclaimed COVID-19 state of emergency; and

3. The Financing Authority Board finds that the state of emergency continues to directly impact the ability of members of the Financing Authority to meet safely in person.

The motion carried with the following vote:

Yes: 7 - Authority Chair Klein
Authority Vice Chair Cisneros
Authority Member Larsson
Authority Member Hendricks
Authority Member Melton
Authority Member Din
Authority Member Spitaleri

No: 0

ADJOURN JOINT CITY COUNCIL AND SUNNYVALE FINANCING AUTHORITY MEETING

Authority Chair / Mayor Klein adjourned the joint City Council and Sunnyvale Financing Authority meeting at 10:23 p.m.

RECONVENE TO CITY COUNCIL MEETING

Mayor Klein reconvened the City Council Meeting at 10:23 p.m.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Hendricks reported his attendance at a joint meeting between multiple governmental bodies regarding Caltrain grade separations.

NON-AGENDA ITEMS & COMMENTS

-Council

None.

-City Manager

Kent Steffens reported no injuries or damage to structures were reported in Sunnyvale resulting from the earthquake East of San José earlier in the day.

INFORMATION ONLY REPORTS/ITEMS

22-0740	Information/Action Items
22-0966	Tentative Council Meeting Agenda Calendar
22-0976	Board/Commission Meeting Minutes

ADJOURNMENT

Mayor Klein adjourned the meeting at 10:27 p.m.