



City of Sunnyvale

Meeting Minutes - Draft City Council

Tuesday, September 10, 2024

5:30 PM

Online and Council Chambers, City Hall,
456 W. Olive Ave., Sunnyvale, CA 94086

Special Meeting: Closed Session - 5:30 PM | Regular Meeting - 7 PM

5:30 P.M. SPECIAL COUNCIL MEETING (Closed Session)

Call to Order

Vice Mayor Srinivasan called the meeting to order at 5:30 p.m.

Roll Call

Present: 6 - Mayor Larry Klein
Vice Mayor Murali Srinivasan
Councilmember Russ Melton
Councilmember Omar Din
Councilmember Richard Mehlinger
Councilmember Linda Sell

Absent: 1 - Councilmember Alysa Cisneros

Councilmember Cisneros' absence is excused.

Public Comment

Public Comment opened at 5:32 p.m.

No speakers.

Public Comment closed at 5:32 p.m.

Convene to Closed Session

Council convened to Closed Session in the Council Conference Room at 5:32 p.m.

A [24-0941](#) Closed Session Held Pursuant to California Government Code
Section 54957.6:
CONFERENCE WITH LABOR NEGOTIATORS
Agency Designated Representatives: Tina Murphy, Director of
Human Resources

Employee Organization: Public Safety Officers Association
(PSOA)

Adjourn Special Meeting

Vice Mayor Srinivasan adjourned the meeting at 6:32 p.m.

7 P.M. COUNCIL MEETING

CALL TO ORDER

Mayor Klein called the meeting to order at 7:01 p.m.

SALUTE TO THE FLAG

Mayor Klein led the salute to the United States flag.

ROLL CALL

Present: 6 - Mayor Larry Klein
Vice Mayor Murali Srinivasan
Councilmember Russ Melton
Councilmember Omar Din
Councilmember Richard Mehlinger
Councilmember Linda Sell
Absent: 1 - Councilmember Alysa Cisneros

Councilmember Cisneros' absence is excused.

CLOSED SESSION REPORT

Vice Mayor Srinivasan reported that Council met in Closed Session Held Pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS Agency Designated Representatives: Tina Murphy, Director of Human Resources Employee Organization: Public Safety Officers Association (PSOA); nothing to report.

SPECIAL ORDER OF THE DAY

B [24-0037](#) Ceremonial Oath of Office for Board and Commission Members

City Clerk David Carnahan administered the Oath of Office to appointed Board and Commission Members.

C [24-0346](#) Hispanic Heritage Month

Mayor Klein spoke in honor of Hispanic Heritage Month.

Gabby Chavez-Lopez, Latina Coalition of Silicon Valley, spoke in recognition of Hispanic Heritage Month.

D [24-0356](#) Sunnyvale Stands United Against Hate Week

Mayor Klein spoke in honor of Sunnyvale Stands United Against Hate Week.

Councilmember Din shared words in recognition of United Against Hate Week.

E [24-0344](#) Prisoners of War/Missing in Action (POW/MIA) Recognition Day

Councilmember Melton spoke in honor of Prisoners of War/Missing in Action (POW/MIA) Recognition Day.

F [24-0940](#) Ceremonial Oath of Office for and Recognition of Incoming City Manager

Mayor Klein administered the Oath of Office to incoming City Manager Tim Kirby.

ORAL COMMUNICATIONS

Councilmember Mehlinger announced details of the Charter Review committee recruitment and the Sunnyvale Business Expo event.

Andrea Wald provided a presentation on their community outreach activities regarding the Lakewood Park renovation project.

Cortney Jansen continued the presentation.

Susan Bassi shared their reporting and investigation into the nonprofit WomenSV (Women of Silicon Valley).

CONSENT CALENDAR

Public Comment opened at 7:32 p.m.

No speakers.

Public Comment closed at 7:32 p.m.

MOTION: Vice Mayor Srinivasan moved and Councilmember Melton seconded the

motion to approve agenda items 1.A through 1.M.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Din
Councilmember Mehlinger
Councilmember Sell

No: 0

Absent: 1 - Councilmember Cisneros

1.A [24-0446](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Approve the list(s) of claims and bills.

1.B [24-0850](#) Receive and File the City of Sunnyvale Investment Report - Second Quarter 2024

Receive and file the City of Sunnyvale Investment Report - Second Quarter 2024.

1.C [24-0935](#) Adopt a Resolution Amending the City's Salary Resolution to Increase Salaries for the Classifications of Water Pollution Control Plant Division Manager and Water Pollution Control Operations Manager and Make Corresponding Changes in the Schedule of Pay

Adopt a Resolution amending the City's Salary Resolution to increase Salaries for the Classifications of Water Pollution Control Plant Division Manager and Water Pollution Control Operations Manager, effective September 15, 2024.

1.D [24-0901](#) Approve Contract Amendment with Western Digital for Semiconductor Training and Employment Services

Approve the contract amendment for semiconductor training and employment services and authorize the City Manager to execute an amendment agreement with Western Digital in an amount not-to-exceed \$350,100, with the contract term starting September 11, 2024, and ending September 10, 2025.

1.E [24-0858](#) Award of Contract in the Amount of \$3,114,784.38 to Guerra Construction Group for the Corn Palace Park, Finding of

California Environmental Quality Act (CEQA) Categorical Exemption Section 15168(c)(2), and Waiver of Minor Bid Irregularity (PW24-21)

Take the following actions:

- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$3,114,784.38 to Guerra Construction Group;
- Make a finding of California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines Sections 15303, 15304, and 15168(c)(2) and Public Resources Code Section 20194(c);
- Approve a 10% construction contingency in the amount of \$467,218;
- Make a determination to waive the minor bid irregularity for Guerra Construction Group; and
- Authorize the City Manager to execute the agreement when all conditions are met.

- 1.F** [24-0794](#) Authorize the Issuance of a Three-Year Agreement in the Amount of \$500,000 to Central Marin Sanitation Agency (CMSA) for the Disposal of Source-Separated Residential and Commercial Organic Waste from the Sunnyvale SMaRT Station® for the Department of Environmental Services and Finding of California Environmental Quality Act (CEQA) Categorical Exemption Pursuant to CEQA Guidelines Section 15162

Take the following actions:

- Authorize the Issuance of a Three-Year Agreement in substantially the same form as Attachment 1 to the Report in the Amount of \$500,000 with Central Marin Sanitation Agency (CMSA); and
- Authorize the City Manager to modify and renew the purchase agreement for two (2) additional one-year periods, not to exceed budgeted amounts, provided pricing and services remain acceptable to the City.

- 1.G** [24-0903](#) Authorize the Issuance of a Purchase Agreement with Escape Velocity Holdings DBA Trace3 for Network Firewall Hardware Equipment and a Storage System Upgrade (F25-056)

Take the following actions:

- Award a five (5) year contract purchase agreement to Escape Velocity Holdings DBA Trace3 in the amount of \$553,221.43 for Network Firewall Upgrade, including a management appliance and dashboard;
- Award a five (5) year contract purchase to Escape Velocity Holdings DBA Trace3 in the amount of \$436,890.89 for Storage System Upgrade;

- Authorize the City Manager to execute the contracts when all necessary conditions have been met;
- Authorize the City Manager to renew the contracts for up to two (2) additional one-year periods based upon available funding, need, acceptable pricing and service; and
- Authorize the City Manager to increase the contracts up to available budgeted amounts.

1.H [24-0724](#) Authorize the City Manager or his Designee to Execute a Small Cell License Agreement with Crown Castle Fiber LLC, Delegate Authority for Term Extensions, and Find the Project Categorically Exempt Under the California Environmental Quality Act (CEQA)

Authorize the City Manager or designee to execute the Small Cell License Agreement in substantially the same form as in Attachment 1 to the report, extend the term for two (2) additional five (5) year terms upon mutual written agreement by the parties, and make a finding that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15302 and 15303.

1.I [24-0918](#) Amend an Existing One (1) Year Blanket Purchase Agreement with W.W. Grainger, Inc., in the Amount of \$150,000 for a new Total Not-to-Exceed Amount of \$400,000, and to Extend the Term of the Purchase Agreement Through December 31, 2024, for the Purchase of Industrial and Commercial Supplies (F25-049)

Take the following actions:

- Approve the increase of \$150,000 to the current Blanket Purchase Agreement with W.W. Grainger for a new, not-to-exceed amount of \$400,000, and extend the term of the purchase agreement through December 31, 2024;
- Authorize the City Manager to execute the amended Blanket Purchase Agreement when all necessary conditions have been met; and
- Authorize the City Manager to increase the compensation up to the budgeted amounts and if pricing remains favorable to the City.

1.J [24-0770](#) Reject all Bids for Downtown Janitorial Services (F24-153)

Reject all bids received in response to Invitation for Bids No. F24-153 for Janitorial Services for the Department of Public Works.

- 1.K** [24-0846](#) Adopt a Resolution of the City Council of the City of Sunnyvale Acknowledging Receipt of a Report from the Department of Public Safety Regarding Annual Fire and Life Safety Inspections Pursuant to Sections 13146.2 Through 13146.4 of the California Health and Safety Code

Adopt a Resolution acknowledging receipt of a report from the Department of Public Safety regarding annual Fire and Life Safety Inspections pursuant to Sections 13146.2 through 13146.4 of the California Health and Safety Code.

- 1.L** [24-0845](#) Designate a Voting Delegate and Alternate for the 2024 League of California Cities Annual Conference

Ratify the Mayor's nomination of Councilmember Mehlinger as Voting Delegate and Tim Kirby, City Manager, as Alternate Voting Delegate for the 2024 League of California Cities Annual Conference.

- 1.M** [24-0938](#) Adopt Ordinance No. 3231-24 Approving a First Amendment to the Development Agreement Between Intuitive Surgical, Inc. and the City of Sunnyvale for the Development of Property Identified by Assessor's Parcel Numbers 205-49-005, 205-49-012, 205-40-002, and 205-40-001 and Respectively Known as 932 Kifer Road, 950 Kifer Road, 945 Kifer Road, and 955 Kifer Road

Adopt Ordinance No. 3231-24 approving a First Amendment to the Development Agreement between Intuitive Surgical, Inc. and the City of Sunnyvale for the development of property identified by Assessor's Parcel Numbers 205-49-005, 205-49-012, 205-40-002, and 205-40-001 and respectively known as 932 Kifer Road, 950 Kifer Road, 945 Kifer Road, and 955 Kifer Road.

STUDY SESSION

- 2** [24-0490](#) Single Use Plastics - Phase 2

Solid Waste Programs Division Manager Shikha Gupta and Environmental Programs Specialist Bailey Hall provided the staff report and presentation.

Public Comment opened at 8:40 p.m.

Sharlene Liu shared a suggestion to survey customers of restaurants on their preferences.

Cortney Jansen communicated their appreciation to City staff for the efforts in promoting alternatives to single use plastics.

Elana Feinsmith voiced recommendations to how to reuse plastic containers and address single use plastics.

Kristel Wickham shared their views to how to better manage single use plastics.

Public Comment closed at 8:47 p.m.

City Council took a recess at 8:54 p.m. and returned at 9:03 p.m. with Mayor Klein, Vice Mayor Srinivasan and Councilmembers Melton, Din, Mehlinger and Sell present.

PUBLIC HEARINGS/GENERAL BUSINESS

- 3 [24-0821](#) Consider Modifying the Scope of Work for Study Issue ESD 24-01: Evaluate the Use of Artificial Turf Versus Living Groundcovers and Approve Budget Modification No. 6 in the Amount of \$50,000

Environmental Services Director Ramana Chinnakotla provided the staff report.

Public Hearing opened at 9:21 p.m.

Sharlene Liu spoke in support of modifying the scope of work for Study Issue ESD 24-01.

Andrea Wald voiced their support of modifying the scope of work for Study Issue ESD 24-01.

Cortney Jansen communicated their support of modifying the scope of work for Study Issue ESD 24-01.

Elana Feinsmith voiced their desire to have increased community engagement and outreach on the study issue.

Carrie Levin suggested additional scope of work to be added to Study Issue ESD 24-01.

Susan Hensen, Sierra Club Loma Prieta Chapter, spoke in support of modifying the

scope of work for Study Issue ESD 24-01.

Public Hearing closed at 9:38 p.m.

MOTION: Councilmember Melton moved and Vice Mayor Srinivasan seconded the motion to approve Alternative 1: Approve the proposed amendment to modify the Scope of Work for Study Issue ESD 24-01 to include an evaluation of how to manage grass fields in public parks and conduct an analysis of maintaining high-quality playing surfaces using natural turf and approve Budget Modification No. 6 in the amount of \$50,000.

FRIENDLY AMENDMENT: Councilmember Sell offered a friendly amendment to use the language of "management/maintenance" instead of "maintenance" in the updated scope of work. Vice Mayor Srinivasan and Councilmember Melton accepted the friendly amendment.

The motion as amended carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Din
Councilmember Mehlinger
Councilmember Sell

No: 0

Absent: 1 - Councilmember Cisneros

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Mehlinger reported on a recent Caltrain Local Policy Maker Group meeting.

Councilmember Din reported on a recent Valley Transportation Authority Board meeting.

NON-AGENDA ITEMS & COMMENTS

-Council

Mayor Klein announced the upcoming Sunnyvale State of the City event.

-City Manager

None.

INFORMATION ONLY REPORTS/ITEMS

[24-0892](#) Tentative Council Meeting Agenda Calendar

[24-0039](#) Board/Commission Meeting Minutes

[24-0900](#) Information/Action Items

ADJOURNMENT

Mayor Klein adjourned the meeting at 10:03 p.m.