



# City of Sunnyvale

## Meeting Minutes - Final City Council

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Tuesday, December 11, 2018

6:15 PM

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

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**Special Council Meetings: Closed Session - 6:15 PM | Open Session - 7:00 PM**

### **6:15 P.M. SPECIAL COUNCIL MEETING (Closed Session)**

Vice Mayor Klein announced the items for Closed Session and invited any members of the public to give public comment.

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

Vice Mayor Klein called the meeting to order at 6:15 p.m.

#### **2 Roll Call**

**Present:** 7 - Mayor Glenn Hendricks  
Mayor Larry Klein  
Councilmember Jim Griffith  
Councilmember Gustav Larsson  
Councilmember Nancy Smith  
Vice Mayor Russ Melton  
Councilmember Michael S. Goldman

#### **3 Public Comment**

None.

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

[18-1047](#)

SPECIAL COUNCIL MEETING (Closed Session)  
Closed Session pursuant to Government Code Section  
54956.8:  
CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Property: 1484 Kifer Road, Sunnyvale, CA  
Agency negotiators: Kent Steffens, City Manager; Chip Taylor,  
Director of Public Works; Sherine Nafie, City Property  
Administrator  
Negotiating party: Youland Smarthome LLC  
Under negotiation: Price and Terms of Payment

## **5 Adjourn Special Meeting**

Vice Mayor Klein adjourned the meeting at 6:26 p.m.

## **7 P.M. SPECIAL COUNCIL MEETING**

### **CALL TO ORDER**

Mayor Hendricks called the meeting to order.

### **SALUTE TO THE FLAG**

Mayor Hendricks lead the Salute to the Flag.

### **ROLL CALL**

**Present:** 7 - Mayor Glenn Hendricks  
Mayor Larry Klein  
Councilmember Jim Griffith  
Councilmember Gustav Larsson  
Councilmember Nancy Smith  
Vice Mayor Russ Melton  
Councilmember Michael S. Goldman

### **CLOSED SESSION REPORT**

Vice Mayor Klein reported the Council met in Closed Session pursuant to Government Code Section 54956.8: CONFERENCE WITH REAL PROPERTY NEGOTIATORS. The Council authorized the City Manager to sign an addendum to the standard offer agreement and escrow instructions for the purchase of real estate with Youland Smarhome, LLC for 1484 Kifer Road, Sunnyvale, formerly the Unilever property. The Addendum: Number 1: extends the close of escrow to February 18, 2019; No. 2: Conditioned on the extension of the close of escrow, Youland will increase its initial deposit by \$3,000,000, which is non-refundable and shall be release to the City, and shall be a credit towards the sale price. This deposit shall be made on or before December 18, 2018. No. 3: All other terms of the existing Agreement shall remain in full force and effect. All Councilmembers were present and were unanimous in the decision.

### **ORAL COMMUNICATIONS**

Councilmember Melton announced the upcoming minimum wage rate increase effective January 1, 2019.

Manuel Macias offered a free Christmas tree.

**CONSENT CALENDAR**

MOTION: Vice Mayor Klein moved and Councilmember Larsson seconded the motion to approve the Consent Calendar.

The motion carried by the following vote:

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

**No:** 0

**1.A**      [18-0838](#)      Authorization to Amend Temporary Personnel Services Agreement with Fire & Risk Alliance, LLC (F19-051) and Approval of Budget Modification No. 11 in the Amount of \$445,000.

1) Approve Budget Modification No. 11 in the amount of \$445,000 in Development Enterprise Fund Reserves to provide additional funding for fire protection system plan review and inspection services; and 2) Authorize the City Manager to execute the Fifth Amendment, in substantially the same form as Attachment 1 to the report, to extend the term through December 31, 2019 and to increase the not-to-exceed contract amounts for the existing temporary personnel services agreement with Fire & Risk Alliance, LLC from \$875,000 to \$1,475,000; and 3) Delegate authority to the City Manager to increase the not-to-exceed amount and to extend the contract for one additional one year period, if operationally necessary, with both actions subject to available budgeted funding.

**PUBLIC HEARINGS/GENERAL BUSINESS**

**2**            [18-1059](#)      Approval of Community Engagement and Outreach Plan Regarding City Council By-District Elections and the California Voting Rights Act, Award a Contract Amendment to PlaceWorks, Inc. and Approve Budget Modification No. 12

Deputy City Manager Jaqui Guzman provided the staff report. Consultant David Early, PlaceWorks, Inc., provided a report and slide presentation.

Public Hearing opened at 8:35 p.m.

The following individuals addressed the Council regarding this subject matter:

Samir Kalra

Galen Davis

Andy Frazer

Ginger Grimes

Richard Konda, Asian Law Alliance

Rose-Marie Twu

Josh Grossman

Christine Pepin

Steve Scandalis

Mei-Ling Stefan

Mike Serrone

Linda Sell

Steve Chessin, President, Californians for Electoral Campaign

Serge Rudaz

Linda Davis

Peter Cirigliano

Martin Pyne

Holly Lofgren

Maria Pan

Margaret Okuzumi

Prakash Giri

John Cordes, BPAC Chair, speaking for himself

Carolyn Schuk

Public Hearing closed at 9:43 p.m.

MOTION: Councilmember Melton moved and Vice Mayor Klein seconded the motion to approve Alternative 2: Approve the Community Engagement and Outreach Plan Regarding City Council By-District Elections and the California Voting Rights Act as provided in Attachment 1, authorize the Mayor to appoint three Council members to serve on the ad-hoc CAC selection subcommittee, approve a contract amendment with PlaceWorks, Inc., Attachment 3 of the report in the amount of \$312,522, and approve Budget Modification No. 12 in the amount of \$128,863 with the following modifications directed by the City Council: Direct staff to come back to City Council no later than the end of February with a study session based on the preliminary efforts of the outreach plan; on Page 5, to add to the sentence about "...other

related information or election considerations of interest or importance to City voters..." the following text: "such as education and input on other electoral systems that satisfy the CVRA."

FRIENDLY AMENDMENT: Mayor Hendricks offered a friendly amendment relating to the Mayor's appointment, that the Mayor appoint three Councilmembers to start the process and then hold discussions about whether to look at appointments for the second phase of the review. Councilmember Melton accepted the friendly amendment.

FRIENDLY AMENDMENT: Councilmember Griffith offered a friendly amendment to bisect it and make a second committee decided with the new Council to deal with the actual appointment, with the first committee simply dealing with the application process. Councilmember Melton accepted the friendly amendment.

The motion carried by the following vote:

- Yes:** 6 - Mayor Hendricks  
Mayor Klein  
Councilmember Griffith  
Councilmember Larsson  
Councilmember Smith  
Vice Mayor Melton
- No:** 1 - Councilmember Goldman

### **ADJOURNMENT**

Mayor Hendricks adjourned the meeting at 10:44 p.m.