



# City of Sunnyvale

## Meeting Minutes City Council

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Tuesday, September 12, 2023

6:00 PM

Online and Bay Conference Room  
(Room 145), City Hall,  
456 W. Olive Ave.,  
Sunnyvale, CA 94086

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**Special Meeting: Closed Session - 6 PM | Regular Meeting - 7 PM**

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

#### **Call to Order**

Vice Mayor Din called the meeting to order at 6:01 p.m.

#### **Roll Call**

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

#### **Public Comment**

Public Comment opened at 6:03 p.m.

No speakers.

Public Comment closed at 6:03 p.m.

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

Council convened to Closed Session in the Council Conference Room at 6:04 p.m.

**A**      [23-0858](#)      CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION Pursuant to Government Code Section 54954.5: Significant Exposure to Litigation Under Government Code Section 54956.9(d)(2): A statement threatening litigation made by a person outside an open and public meeting related to a proposed project at 1154 and 1170 Sonora Court

**Adjourn Special Meeting**

Vice Mayor Din adjourned the meeting at 6:38 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 Omar Din  
Councilmember Russ Melton  
Councilmember Alysa Cisneros  
Councilmember Murali Srinivasan  
Councilmember Linda Sell  
**Absent:** 1 - Councilmember Richard Mehlinger

**CLOSED SESSION REPORT**

Vice Mayor Din reported that Council met in Closed Session Held Pursuant to California Government Code Section 54954.5: Conference with Legal Council Anticipated Litigation significant exposure to litigation under Government Code Section 54956.9(d)(2): A statement threatening litigation made by a person outside an open and public meeting related to a proposed project at 1154 and 1170 Sonora Court; nothing to report.

**SPECIAL ORDER OF THE DAY**

**B**      [23-0381](#)      Hispanic Heritage Month

Mariya Maldonado, Hispanic Foundation Silicon Valley, shared their experience and background in honor of Hispanic Heritage Month.

**C**      [23-0380](#)      Workforce Development Month

Director of Nova Workforce Services Marlina Sessions spoke in honor of Workplace Development Month.

**D**      [23-0075](#)      Ceremonial Oath of Office for Board and Commission

### Members

Deputy City Clerk Sandra Barajas administered the Oath of Office to appointed Board and Commission Members.

### **PRESENTATION**

E      [23-0057](#)      2023 Silicon Valley Clean Energy (SVCE) Electric Showcase Awards by SVCE Chief Executive Officer Girish Balachandran

Girish Balachandran, Chief Executive Officer, Silicon Valley Clean Energy (SVCE) presented the SVCE Electric Showcase Awards.

### **ORAL COMMUNICATIONS**

Debra King spoke to the positive impact the Sunnyvale Humane Society makes for homeless cats.

Rose Gregorio voiced their concern regardless homeless encampment sweeps that are happening in Sunnyvale.

### **CONSENT CALENDAR**

Public Comment opened at 7:29 p.m.

No speakers

Public Comment closed at 7:29 p.m.

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

The motion carried with the following vote:

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

**No:** 0

**Absent:** 1 - Councilmember Mehlinger

1.A      [23-0049](#)      Approve City Council Meeting Minutes of August 8, 2023

Approve the City Council Meeting Minutes of August 8, 2023 as submitted.

- 1.B**      [23-0242](#)      Approve City Council Meeting Minutes of August 15, 2023  
(Board and Commission Interviews)

Approve the City Council Meeting Minutes of August 15, 2023 as submitted.

- 1.C**      [23-0783](#)      Approve City Council Meeting Minutes of August 29, 2023

Approve the City Council Meeting Minutes of August 29, 2023 as submitted.

- 1.D**      [23-0278](#)      Approve the List(s) of Claims and Bills Approved for Payment  
by the City Manager

Approve the list(s) of claims and bills.

- 1.E**      [23-0782](#)      Approve Budget Modification No. 3 to Appropriate \$217,816 of  
CalRecycle SB1383 Local Assistance Grant Program Funds to  
Project 830910 - Zero Waste Strategic Plan

Approve Budget Modification No. 3 to appropriate \$217,816 of CalRecycle SB1383  
Local Assistance Grant Program Funds to Project 830910 - Zero Waste Strategic  
Plan.

- 1.F**      [23-0183](#)      Receive and File the City of Sunnyvale Investment Report  
-Second Quarter 2023

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

- 1.G**      [23-0640](#)      Receive a Report of an Emergency Repair Project to  
Reconstruct a Damaged Stormwater Outfall and Restore the  
Embankment of Stevens Creek at Mockingbird Lane. The  
Project is Urgent to Ensure Public Safety and the Operation of  
the Storm Drainage System (Policy SN-1.3).

Receive a report of an Emergency Repair Project to reconstruct a damaged storm  
water outfall and restore the embankment of Stevens Creek at Mockingbird Lane.  
The Project is urgent to ensure public safety and the operation of the storm  
drainage system.

#### **PUBLIC HEARINGS/GENERAL BUSINESS**

- 2**      [23-0794](#)      Award of a contract to Group 4 Architecture, Research +  
Planning, Inc. for the Civic Center Phase 2 Planning - Main  
Library in the amount of \$976,342.50 and approve Budget

Modification No. 5 in the amount of \$431,929.47 (F23-130) to fund the contract and ongoing staffing support

Assistant Director of Public Works Jennifer Ng provided the staff report and presentation.

Public Hearing opened at 8:39 p.m.

Debra King spoke to the difficult dynamics in passing such a bond measure in the next election cycle.

A member of the public commented that the Comcast broadcast of the meeting is not viewable.

Public Hearing closed at 8:44 p.m.

MOTION: Councilmember Din moved and Councilmember Melton seconded the motion to approve Alternative 1:

- Award a contract for Civic Center Phase 2 Planning – Main Library in the amount of \$992,342.50 to Group 4 Architecture, Research + Planning, Inc., with the agreement language modified to remove the term “marketing”, corrected to “public education;”
- Approve a 10% contingency in the amount of \$99,234 to Group 4 Architecture, Research + Planning, Inc.;
- Approve Budget Modification No. 5 in the amount of \$431,929.47; and
- Authorize the City Manager to execute the contracts.

The motion carried with the following vote:

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

**No:** 0

**Absent:** 1 - Councilmember Mehlinger

- 3**      [23-0780](#)      Introduce an Ordinance Repealing Chapter 16.62 (Prevention of Flood Damage), Adopting Chapter 16.62 (Floodplain

Management) of Title 16 (Buildings and Construction), Amending Section 1.04.010 (Violation-Misdemeanor or infraction) of Chapter 1.04 (General Penalty) of Title 1 (General Provisions) of the Sunnyvale Municipal Code, and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to Public Resources Code Section 21080(b)(1) and CEQA Guidelines Sections 15061(b)(3), 15268, and 15308

Assistant Director of Public Works Jennifer Ng provided the staff report.

Public Hearing opened at 9:09 p.m.

No speakers.

Public Hearing closed at 9:09 p.m.

MOTION: Councilmember Din moved and Councilmember Melton seconded the motion to approve Alternative 1: Introduce an Ordinance repealing Chapter 16.62 (Prevention of Flood Damage), adopting Chapter 16.62 (Floodplain Management) of Title 16 (Buildings and Construction), amending Section 1.04.010 (Violation-Misdemeanor or infraction) of Chapter 1.04 (General Penalty) of Title 1 (General Provisions) of the Sunnyvale Municipal Code, and find that the Action is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(1) and CEQA Guidelines Sections 15061(b)(3), 15268, and 15308.

Deputy City Clerk Sandra Barajas read the Ordinance title for the record.

The motion carried with the following vote:

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

**No:** 0

**Absent:** 1 - Councilmember Mehlinger

**COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

None.

### **NON-AGENDA ITEMS & COMMENTS**

#### **-Council**

MOTION: Councilmember Sell moved and Councilmember Cisneros seconded the motion to agendaize an item to study the cost and feasibility for an additional round of polling and benefits additional polling may achieve regarding the Sunnyvale Main Library development project.

The motion failed with the following vote:

**Yes:** 0

**No:** 6 - Mayor Klein  
Vice Mayor Din  
Councilmember Melton  
Councilmember Cisneros  
Councilmember Srinivasan  
Councilmember Sell

**Absent:** 1 - Councilmember Mehlinger

Councilmember Melton spoke to Santa Clara County's fruit fly quarantine action.

Mayor Klein shared additional comments on Santa Clara County's fruit fly quarantine action.

#### **-City Manager**

None.

### **INFORMATION ONLY REPORTS/ITEMS**

<a href="#"><u>23-0808</u></a>	Tentative Council Meeting Agenda Calendar
<a href="#"><u>23-0809</u></a>	Board/Commission Meeting Minutes
<a href="#"><u>23-0810</u></a>	Information/Action Items
<a href="#"><u>23-0887</u></a>	Mayor-Appointed Ad Hoc Advisory Committee on Potential HomeKey Application - Notice of Completion (Information Only)

**ADJOURNMENT**

Mayor Klein adjourned the meeting at 9:34 p.m.