



City of Sunnyvale

Meeting Minutes City Council

Tuesday, October 15, 2024

5:00 PM

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

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

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

Call to Order

Mayor Klein called the meeting to order at 5:00 p.m.

Roll Call

Present: 5 - Mayor Larry Klein
Councilmember Russ Melton
Councilmember Omar Din
Councilmember Richard Mehlinger
Councilmember Linda Sell

Absent: 2 - Vice Mayor Murali Srinivasan
Councilmember Alysa Cisneros

Vice Mayor Srinivasan and Councilmember Cisneros' absences are excused.

Public Comment

Public Comment opened at 5:02 p.m.

No speakers.

Public Comment closed at 5:02 p.m.

Convene to Closed Session

Council convened to Closed Session in the Council Conference Room at 5:02 p.m.

A [24-0942](#) Closed Session Held Pursuant to California Government Code
Section 54956.9:
CONFERENCE WITH LEGAL COUNSEL- PENDING
LITIGATION
(Paragraph (1) of Subdivision (d) of Section 54956.9)

Name of Case: Name of Case: Malvini, Robert v. City of Sunnyvale (Workers Compensation Appeal Board Case No. ADJ16689716, ADJ17699380, ADJ16689698, ADJ2604334, ADJ9847510)

- B** [24-1065](#) Closed Session Held Pursuant to California Government Code 54956.8: CONFERENCE WITH REAL PROPERTY NEGOTIATORS for 247 Commercial Street - APN: 205-34-006 and 295 Commercial Street APN: 205-34-013
Agency Negotiators: Tim Kirby, City Manager; Chip Taylor, Director of Public Works; Sherine Nafie, City Property Administrator
Negotiating Parties: Huy Tu, Trustee of the Huy Tu Trust and The heirs or devisees of Tam T. Le and Jiri Stepan and Lai-Ying Stepan, Co-Trustees of the Stepan Family Trust,
Under Negotiation: Price and Terms
- C** [24-0784](#) 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

Mayor Klein adjourned the meeting at 6:20 p.m.

7 P.M. COUNCIL MEETING

CALL TO ORDER

Mayor Klein called the meeting to order at 7:02 p.m.

SALUTE TO THE FLAG

Mayor Klein led the salute to the United States flag.

ROLL CALL

- Present:** 5 - Mayor Larry Klein
Councilmember Russ Melton
Councilmember Omar Din
Councilmember Richard Mehlinger
Councilmember Linda Sell
- Absent:** 2 - Vice Mayor Murali Srinivasan
Councilmember Alysa Cisneros

Vice Mayor Srinivasan and Councilmember Cisneros' absences are excused.

CLOSED SESSION REPORT

Mayor Klein reported that Council met in Closed Session Held Pursuant to California Government Code Section 54956.9: CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION (Paragraph (1) of Subdivision (d) of Section 54956.9) Name of Case: Name of Case: Malvini, Robert v. City of Sunnyvale (Workers Compensation Appeal Board Case No. ADJ16689716, ADJ17699380, ADJ16689698, ADJ2604334, ADJ9847510); nothing to report.

Mayor Klein reported that Council met in Closed Session Held Pursuant to California Government Code 54956.8: CONFERENCE WITH REAL PROPERTY NEGOTIATORS for 247 Commercial Street APN: 20534006 and 295 Commercial Street APN: 20534013 Agency Negotiators: Tim Kirby, City Manager; Chip Taylor, Director of Public Works; Sherine Nafie, City Property Administrator Negotiating Parties: Huy Tu, Trustee of the Huy Tu Trust and the heirs or devisees of Tam T. Le and Jiri Stepan and Lai-Ying Stepan, Co-Trustees of the Stepan Family Trust, Under Negotiation: Price and Terms; nothing to report.

Mayor Klein 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

D [24-0350](#) Domestic Violence Awareness Month

Mayor Klein spoke in recognition of Domestic Violence Awareness Month.

Melissa Luke, Chief Program Officer, YWCA Golden Gate Silicon Valley spoke in honor of Domestic Violence Awareness Month.

E [24-0354](#) Filipino American History Month

Mayor Klein spoke in recognition of Filipino American History Month.

Ann Reginio, Chapter Administrator, Filipino American National Historical Society Silicon Valley spoke in honor of Filipino American History Month.

F [24-0353](#) National Friends of the Library Week

Mayor Klein read a proclamation in honor of National Friends of the Library Week.

Superintendent of Libraries Garrett Kuramoto spoke towards the proclamation.

G [24-0352](#) Cybersecurity Awareness Month

Mayor Klein read a proclamation in honor of Cybersecurity Awareness Month.

Chief Information Officer/Information Technology Director Kathleen Boutté Foster-Gee spoke towards the proclamation.

PRESENTATION

H [24-1052](#) 2024 Municipal Information Systems Association of California (MISAC) Awards, Presented by MISAC Board Member Ed Miranda

MISAC Board Member Ed Miranda presented the MISAC Award to Chief Information Officer/Information Technology Director Kathleen Boutté Foster-Gee and the Information Technology team.

I [24-0954](#) Sunnyvale Community Services (SCS) Update by SCS Executive Director Marie Bernard

Marie Bernard, Executive Director, Sunnyvale Community Services, provided the presentation.

ORAL COMMUNICATIONS

Councilmember Sell announced details of the Charter Review Committee recruitment.

Jim Uren voiced their concerns regarding the development at Charles Street (former

Wells Fargo site) and commented on previous developments in the neighborhood.

Siva Hari communicated their concern regarding the proposed development on Charles Street.

Steve Caroompas shared their concern regarding the proposed development on Charles Street.

Uday Vallamsetty voiced their concern regarding the proposed development on Charles Street.

Jim Davis communicated their concerns with the housing developments along Charles Street.

May P. shared their concerns regarding remarks made by Councilmember Din at the September 10, 2024, City Council meeting.

Anna Steparenko voiced their concerns regarding remarks made by Councilmember Din at the September 10, 2024, City Council meeting.

Arik Paran communicated their concerns regarding remarks and discourse centered around international issues rather than focusing on Sunnyvale.

Susan Hinton provided a presentation regarding their concerns with artificial turf.

Agnes Veith shared their concerns with community voices against affordable housing projects.

Elana Feinsmith urged for improvements to the signage depicting the lane closure on Tasman Drive and for an increase in retail business in their neighborhood.

Manuel Salazar, SV@Home, spoke in support of the MidPen Housing project at 295 South Mathilda Avenue.

Chuck Fraleigh voiced support for affordable housing and the development at Charles Street.

Angela Roche communicated their support for the MidPen Housing at 295 South Mathilda Avenue.

Cortney Jansen shared support for affordable housing and for using natural grass turf instead of artificial turf.

CONSENT CALENDAR

Public Comment opened at 8:37 p.m.

No speakers.

Public Comment closed at 8:37 p.m.

MOTION: Councilmember Din moved and Councilmember Melton seconded the motion to approve agenda items 1.A through 1.J.

The motion carried with the following vote:

Yes: 5 - Mayor Klein
Councilmember Melton
Councilmember Din
Councilmember Mehlinger
Councilmember Sell

No: 0

Absent: 2 - Vice Mayor Srinivasan
Councilmember Cisneros

1.A [24-0243](#) Approve City Council Meeting Minutes of September 10, 2024
Approve the City Council Meeting Minutes of September 10, 2024 as submitted.

1.B [24-0449](#) Approve City Council Meeting Minutes of September 21, 2024
(State of the City)
Approve the City Council Meeting Minutes of September 21, 2024 as submitted.

1.C [24-0778](#) Approve City Council Meeting Minutes of September 24, 2024
Approve the City Council Meeting Minutes of September 24, 2024 as submitted.

1.D [24-0448](#) 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 [24-0240](#) Adopt the City's Investment Policy for Fiscal Year 2024/25 and

Receive the Annual Performance Report for Fiscal Year 2023/24

Adopt the City's Investment Policy for FY 2024/25 and receive the Annual Performance Report for Fiscal Year 2023/24.

- 1.F** [24-0773](#) Approve Budget Modification No. 1 in the Amount of \$79,000 to Supplement Public Art for Plaza del Sol Phase 2

Approve Budget Modification No. 1 in the amount of \$79,000 to supplement public art for Plaza del Sol Phase 2.

- 1.G** [24-1043](#) Adopt a Resolution Amending the Classification Plan and the City's Salary Resolution to Add the Classification of Public Safety Dispatcher-Lateral and Update the Schedule of Pay

Adopt a Resolution to amend the Classification Plan and the City's Salary Resolution to add the new Classification of Public Safety Dispatcher-Lateral and make corresponding updates to the Schedule of Pay effective October 27, 2024.

- 1.H** [24-0924](#) Authorize the Issuance of a Purchase Agreement to Zetron, Inc. in the Amount of \$416,907.94 for Fire Station Touch Control System (F25-057)

Take the following actions:

- Authorize the issuance of a purchase agreement to Zetron, Inc. in the amount of \$416,907.94 for the purchase of a Fire Station Touch Control System;
- Authorize The City Manager to execute the purchase agreement when all conditions have been met; and
- Approve a 10% contingency in the amount of \$41,690.

- 1.I** [24-0986](#) Award a Contract in the Amount of \$1,190,000 to West Coast Arborists, Inc. for Street Tree Maintenance Services (F24-035)

Take the following actions:

- Award a contract to West Coast Arborists, Inc. in a not-to-exceed amount of \$1,190,000 in substantially the same form as Attachment 2 to the report;
- Authorize the City Manager to execute the agreement when all conditions have been met;
- Authorize the City Manager to increase the quantities under the contract, subject to available budget; and
- Authorize the City Manager to renew the contract for one (1) additional one-year period, subject to available budget and if pricing and services remain acceptable to

the City.

- 1.J [24-1004](#) Award of Consultant Services Agreement with a Contract Amount Not-to-Exceed \$388,240 to Kitchell CEM, Inc. for the Senior Center Building Rehabilitation Project (F24-157) and Find the Project is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15301 and 15302

Take the following actions:

- Award a Consultant Services Agreement is substantially the same form as Attachment 1 to the report in an amount not-to-exceed \$388,240 to Kitchell CEM, Inc. of Sacramento;
- Approve a 10% contingency in the amount of \$38,824;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Find the project exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 and 15302.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2 [24-0953](#) Proposed Project:
Introduce an Ordinance and Adopt a Resolution to:
Amend Sunnyvale Municipal Code Chapter 19.36 (El Camino Specific Plan District) and Adopt an Ordinance to Implement Housing Element Program H17: El Camino Real Specific Plan (ECRSP) Commercial Requirement for Affordable Housing Developments and Adopt a Resolution to Establish and Adopt Program H-17 for Modified Commercial Requirements in Mixed-Use Development in the El Camino Real Specific Plan.
Location: El Camino Specific Plan Area (APNs: Various)
File #: PLNG-2024-0581
Zoning: ECR-Various
Environmental Review: Non-discretionary project (Public Resources Code Section 21080(b)(1), California Environmental Quality Act (CEQA) Guidelines Sections 15268, 15357)
Project Planner: Shaunn Mendrin, (408) 730-7431, smendrin@sunnyvale.ca.gov

Community Development Director Trudi Ryan provided the staff report.

Public Hearing opened at 9:04 p.m.

Manuel Salazar, SV@Home, shared their support for the proposed along with concerns regarding the included retail requirements.

Agnes Veith, Livable Sunnyvale, urged Council to modify the ordinance to change certain retail requirements.

Chuck Fraleigh, Vice Chair, Livable Sunnyvale communicated their concerns with the ordinance that requires certain retail requirements.

A member of the public provided comments on the draft ordinance and what goals it hopes to achieve.

Public Hearing closed at 9:13 p.m.

MOTION: Councilmember Melton moved and Councilmember Mehlinger seconded the motion to approve Alternative 1: Take the following actions:

- a. Find that the Action is exempt from the California Environmental Quality Act subject to (CEQA) pursuant to Public Resources Code Section 21080(b)(1) and CEQA Guidelines Section 15268 and 15357;
- b. Introduce an Ordinance to amend Sunnyvale Municipal Code Section 19.36.090 relating to minimum commercial development for affordable housing developments developed in the El Camino Real Specific Plan mixed-use zoning districts; and
- c. Adopt a Resolution that establishes the program for modified commercial requirements in mixed-use development in the El Camino Real Specific Plan and directs staff to return to City Council to review implementation of this Program and receive further direction after two 100% affordable projects have been approved at a public hearing, or earlier as may be determined by the director of community development.

City Clerk David Carnahan read the Ordinance title for the record.

The motion carried with the following vote:

Yes: 5 - Mayor Klein
Councilmember Melton
Councilmember Din
Councilmember Mehlinger
Councilmember Sell

No: 0

Absent: 2 - Vice Mayor Srinivasan
Councilmember Cisneros

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Din provided a report on recent Valley Transportation Agency Board meeting.

NON-AGENDA ITEMS & COMMENTS

-Council

None.

-City Manager

None.

INFORMATION ONLY REPORTS/ITEMS

[24-0864](#) Tentative Council Meeting Agenda Calendar

[24-0902](#) Board/Commission Meeting Minutes

[24-1074](#) Information/Action Items

ADJOURNMENT

Mayor Klein adjourned the meeting at 9:28 p.m.