



City of Sunnyvale

Meeting Minutes - Draft City Council

Tuesday, August 27, 2024

5:00 PM

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

**Special Meeting: Closed Session - 5 PM | Special Meeting: Study Session - 6 PM |
Regular Meeting - 7 PM**

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

Call to Order

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

Roll Call

Present: 5 - Mayor Larry Klein
Vice Mayor Murali Srinivasan
Councilmember Russ Melton
Councilmember Omar Din
Councilmember Linda Sell

Absent: 2 - Councilmember Alysa Cisneros
Councilmember Richard Mehlinger

Councilmember Cisneros and Mehlinger's 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 [24-0782](#) 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 6:00 p.m.

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

Call to Order

Vice Mayor Srinivasan called the meeting to order at 6:06 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 Mehlinger joined the meeting at 6:14 p.m.

Councilmembers Cisneros' absence is excused.

Study Session

B [24-0433](#) Future of the Water Pollution Control Plant Ponds and Levees

Environmental Services Director Ramana Chinnakotla, Water Pollution Control Plant Division Manager Rohan Wikramanayake, and Regulatory Programs Division Manager Melody Tovar provided the staff report and presentation.

Public Comment opened at 6:35 p.m.

Julia Miller, Board Member, San Francisco Bay Trail shared their concerns with pollution at the Water Pollution Control Plant.

Member of the public voiced a list of concerns regarding the Water Pollution Control Plant.

Public Comment closed at 6:39 p.m.

Adjourn Special Meeting

Vice Mayor Srinivasan adjourned the meeting at 6:55 p.m.

7 P.M. COUNCIL MEETING

CALL TO ORDER

Mayor Klein called the meeting to order at 7:04 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

C [24-0343](#) National Library Card Sign-Up Month

Mayor Klein spoke in honor of National Library Card SignUp Month.

Superintendent of Libraries Garrett Kuramoto spoke in recognition of National

Library Card SignUp Month.

D [24-0345](#) Workforce Development Month

Mayor Klein spoke in honor of Workforce Development Month.

NOVA Workforce Services Director Marléna Sessions spoke in appreciation of Workforce Development Month.

Erika Perdue shared their experience working in the NOVA young adult program.

ORAL COMMUNICATIONS

Councilmember Melton announced that Sunnyvale schools are back in session and the Charter Review Committee recruitment.

Audel Garcia communicated their workplace parking difficulties at the Sunnyvale post office and asked for the City's assistance.

Adam Lee shared their disappointed of the cancellation of the Sunnyvale Pride and performed a song by the Out Loud Choir from Sunnyvale Presbyterian Church.

Carol Heath continued the performance of the song by the Out Loud Community Choir.

Qiyuan Liu shared their safety and fire danger concerns with the events that have unfolded in their neighborhood.

Alex Stegner voiced their safety concerns regarding their neighbor's activities.

Elaine West communicated their safety concerns and excessive noise activities being conducted by their neighbor.

David Stauffer voiced their concerns with the dangerous activities of their neighbor.

Margaret Lawson spoke to the appointment of Tim Kirby as City Manager.

CONSENT CALENDAR

Public Comment opened at 7:45 p.m.

Matt Hutchison requested agenda item 1.D be pulled from the Consent Calendar.

Public Comment closed at 7:45 p.m.

MOTION: Vice Mayor Srinivasan moved and Councilmember Melton seconded the motion to approve agenda items 1.A through 1.C., 1.E and 1.F.

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 [24-0538](#) Approve City Council Meeting Minutes of August 13, 2024

Approve the City Council Meeting Minutes of August 13, 2024 as submitted.

1.B [24-0445](#) Approve the List(s) of Claims and Bills Approved for Payment
by the City Manager

Approve the list(s) of claims and bills.

1.C [24-0875](#) Adopt a Resolution Amending the Classification Plan and
Salary Resolution to Change the Classification Title of
Communications Officer to Deputy Public Information Officer,
Create the Classifications of Accounting Manager, Active
Transportation Planner, Chief Public Information Officer,
Housing Specialist I/II, and Permit Technician, Part Time,
Update the Salary for the Classifications of Budget Manager
and Affordable Housing Manager, and Make Corresponding
Changes to the Schedule of Pay

Adopt a Resolution amending the Classification Plan and Salary Resolution to change the Classification Title of Communications Officer to Deputy Public Information Officer, create the Classifications of Accounting Manager, Active Transportation Planner, Chief Public Information Officer, Housing Specialist I/II, and Permit Technician, Part Time, update the Salary for the Classifications of Budget Manager and Affordable Housing Manager, and make corresponding changes in the

Schedule of Pay effective September 1, 2024.

- 1.D** [24-0801](#) Award a Contract to RRM Design Group in the amount of \$1,108,318 for Design and Construction Support Services for the Las Palmas Park Renovation Enhancement Project (F24-113)

Public Hearing opened at 7:46 p.m.

Matt Hutchison shared K-9 Officer Jax's story and requested the dog park at Las Palmas Park be named in honor of K-9 Officer Jax.

Public Hearing closed at 7:48 p.m.

MOTION: Councilmember Melton moved and Councilmember Din seconded the motion to approve the following actions:

- Award a Consultant Services Agreement in substantially the same form as Attachment 1 to the report in an amount not-to-exceed \$1,108,318 (\$1,050,351 for base services and \$57,967 for optional services) to RRM Design Group of San Leandro, with the following change to the Scope of Work: replace "Renovation of the dog park" with "Renovation of the dog park; Consultant will prepare suitable options with estimated costs for Council consideration for a suitable plaque and/or statue honoring K-9 Officer Jax;"
- Authorize the City Manager to execute the contract when all necessary conditions have been met;
- Approve a 10% contingency in the amount of \$110,832; and
- Express a preference to name the renovated dog park after K-9 Officer Jax and direct the City Manager to come back to Council with future actions to accomplish this.

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.E** [24-0800](#) Award of Contract in the Amount of \$12,169,123 to Suarez & Munoz Construction, Inc. for the Community Center Grounds Renovation, Finding of California Environmental Quality Act (CEQA) Categorical Exemptions Classes 1, 2, and 30, and Approve Budget Modification No. 3 in the Amount of \$1,654,107 (PW24-18)

Take the following actions:

- Award a contract in substantially form as Attachment 2 to the report in the amount of \$12,169,123 to Suarez & Munoz Construction, Inc.;
- Approve a 10% construction contingency in the amount of \$1,216,912;
- Authorize the City Manager to execute the contract when all necessary conditions have been met;
- Make a finding of a categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301(d), 15302, and 15330; and
- Approve Budget Modification No. 3 in the amount of \$1,654,107.

- 1.F** [24-0905](#) Adopt Ordinance No. 3230-24 to Amend Various Sections of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code to Adopt by Reference the 2022 California, Residential, Energy and Green Building Standards Codes with the July 2024 Supplement, with Local Amendments and Related Findings

Adopt Ordinance No. 3230-24.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [24-0816](#) Proposed Project: Related applications on a 15.6-acre site:
DEVELOPMENT AGREEMENT: Introduction of an Ordinance Approving and Adopting the First Amendment to the Development Agreement between the City of Sunnyvale and Intuitive Surgical Inc.
SPECIAL DEVELOPMENT PERMIT: Modify Special Development Permit (2019-7557) pertaining to 945 - 955 Kifer Road (North Site) of the Intuitive Surgical corporate campus to add an internal courtyard and reduce total building area by 6,000 square feet (from 364,000 to 358,000 square feet),

relocate the previously-approved underground parking to a new above-ground structure on an adjacent site at 2900 Semiconductor Drive, Santa Clara, CA (APN 205-39-028), modify the design of the pedestrian bridge connecting the north and south sites, and other minor building and site modifications.

Location: 945 - 955 Kifer Road (APNs: 205-40-001, 205-40-002) and City of Santa Clara APN 205-39-028
File #: 2022-7369

Zoning: M-S/LSAP 60% (Lawrence Station Area Plan Industrial and Service Zoning District 60% Floor Area Ratio)

Applicant / Owner: Steve Riley (applicant) / Intuitive Surgical, Inc. (owner)

Environmental Review: An Environmental Checklist/Addendum to the Lawrence Station Area Plan Update/Intuitive Surgical Corporate Campus Project Final Subsequent Environmental Impact Report (EIR) has been prepared for the Intuitive North Site Modification Project in compliance with California Environmental Quality Act provisions.

Project Planner: Julia Klein, (408) 730-7463,
jklein@sunnyvale.ca.gov

Principal Planner Julia Klein provided the staff report and presentation.

Public Hearing opened at 8:13 p.m.

Adam Seymore, Project Director, Intuitive Surgical, and Eric Morley, Principal, The Morley Bros., provided the applicant presentation.

Public Hearing closed at 8:21 p.m.

MOTION: Councilmember Mehlinger moved and Councilmember Melton seconded the motion to approve Alternatives 1 and 2: 1) Make the determination required by Resolution No. 371-81 for the First Amendment to the Development Agreement (Attachment 3 to the Report); and 2) Approve and adopt the First Amendment to the Development Agreement and Special Development Permit:

a) Make the required findings to accept the Environmental Checklist/Addendum to the Lawrence Station Area Plan Update/Intuitive Surgical Corporate Campus Project Final Subsequent Environmental Impact Report for the Intuitive North Site Modification Project finding that it has been prepared in compliance with California

Environmental Quality Act provisions and no additional environmental review is required;

b) Approve a Modification to Special Development Permit (2019-7557) at 945-955 Kifer Road (north site) based on Recommended Findings in Attachment 4 and Recommended Conditions of Approval in Attachment 5; and

c) Introduction of an Ordinance approving and adopting the First Amendment to the Development Agreement between the City of Sunnyvale and Intuitive Surgical Inc. included in Attachment 2 and based on the determination required by Resolution No. 371-81 in Attachment 3.

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

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

City Council took at recess at 8:26 p.m and returned at 8:35 p.m. with all Mayor Klein, Vice Mayor Srinivasan and Councilmembers Melton, Din, Mehlinger and Sell present.

3 [24-0824](#) Consider a New Council Policy to Ban the Use of Artificial Turf at City Facilities and Open Space

Public Works Director Chip Taylor and Senior Management Analyst Tamara Davis provided the staff report and presentation.

Public Hearing opened at 9:14 p.m.

Paul Ditiangkin spoke in opposition to the ban of artificial turf and invited the children who shared in opposing the bay to stand alongside them.

Melinda Dibb provided a presentation in opposition to the ban of artificial turf.

Berrett Dibb continued the presentation.

Charles Dibb continued the presentation.

Gregory Dibb continued the presentation.

David Whitlock spoke in opposition to the ban of artificial turf.

Andrea Wald voiced their support for banning the use of artificial turf.

Kevin Robertson shared their opposition to the ban of artificial turf.

John Kehoe spoke in support of banning the use of artificial turf.

Mike Lee, Sunnyvale Little League President, communicated their opposition to the ban of artificial turf.

Yug Kishore voiced their opposition to the ban of artificial turf.

Traci Willard shared their support for banning the use of artificial turf.

Steve Krow-lucal spoke in opposition to the banning of artificial turf.

Chuck Fraleigh communicated their opposition to the ban of artificial turf.

Susan Hinton, Sierra Club, voiced their support for banning the use of artificial turf.

Walter Johnson spoke in support for banning the use of artificial turf.

Gustavo Camargo shared their opposition to the ban of artificial turf.

Neil Bailey, American Youth Soccer Organization, spoke in opposition to the banning of artificial turf.

Matthew Messana voiced their opposition to ban of artificial turf.

Brad Morrison shared their opposition to the ban of artificial turf.

Kitlyn Seto communicated their opposition to the ban of artificial turf.

Ryan Artola spoke in opposition to the banning of artificial turf.

Damon James, Club President, Sunnyvale Alliance Soccer shared their opposition to the ban of artificial turf.

Staffon Westerberg spoke in opposition to the ban of artificial turf.

Solette Westerberg shared their opposition to the ban on artificial turf.

Bob McCarty, Silicon Valley Rugby President, voiced their opposition to ban of artificial turf.

Colin Young, Research & Development Director, Tencate, spoke in opposition to the ban of artificial turf.

Carrie Levin communicated their support for the ban of artificial turf.

Cortney Jansen shared their support for the ban of artificial turf.

Poonam Hemrajani spoke in support for the ban of artificial turf.

Mark Cutler voiced their opposition to the ban on artificial turf.

Tori Zielinski shared their opposition to the ban of artificial turf.

Gail Giansiracusa communicated their opposition to the ban of artificial turf.

Haruko Matsuda provided a presentation in opposition to the ban of artificial turf.

Bruce Paton spoke in support for the ban of artificial turf.

Shea Salinas voiced their opposition to the ban on artificial turf.

Susan Kay shared their support for the ban of artificial turf.

Member of the public voiced their opposition to the ban on artificial turf.

Noah Song communicated their opposition to the ban of artificial turf.

Cynthia Fan spoke in support for the ban of artificial turf.

Leanne McAulifee communicated their support for the ban of artificial turf.

Pinak Kishore voiced their opposition to the ban on artificial turf.

Eileen Le shared their support for the ban of artificial turf.

David Natwick voiced their opposition to the ban on artificial turf.

James Jones spoke in opposition to the ban of artificial turf.

Revital Meron voiced their opposition to the ban on artificial turf.

Ahmed Malik communicated their opposition to the ban of artificial turf.

Shailaja Domala shared their desire for a solution that will maintain the athletic fields while protecting the environment.

Andrew Ransome shared their opposition to the ban of artificial turf.

Roz Meron spoke in opposition to the ban of artificial turf.

Adel A. communicated their opposition to the ban of artificial turf.

Andrey Lo voiced their opposition to the ban on artificial turf.

Isabella Ramirez communicated their opposition to the ban of artificial turf.

Chris Sullivan shared their opposition to the ban of artificial turf.

David Kesting, Parks and Recreation Commission Chair, communicated the Parks and Recreation Commission's recommendation.

Mia Arias spoke in opposition to the ban of artificial turf.

Mourya Dodla, Sunnyvale Cricket Club, shared their opposition to the ban of

artificial turf.

Sandra Todd voiced their opposition to the ban on artificial turf.

Prakash Giri communicated their opposition to the ban on artificial turf.

Raul Etkin voiced their opposition to the ban on artificial turf.

Tim Teagarden spoke in opposition to the ban of artificial turf.

Jordan Yan communicated their opposition to the ban of artificial turf.

Steve Hill shared their support for the ban of artificial turf.

Andrae Wan voiced their support for the ban of artificial turf.

Rika Gopinath, Beyond Pesticides, spoke in support for the ban of artificial turf.

Gabe Calebotta, Silicon Valley Rugby, spoke in opposition to the ban of artificial turf.

Susan Humphries communicated their support for the ban of artificial turf.

Kristine Fry voiced their opposition to the ban on artificial turf.

Dashiell Leeds, Sierra Club Loma Prieta Chapter, communicated their support for the ban of artificial turf.

Kairat Sabyrov spoke in opposition to the ban of artificial turf.

Sean O'Connor shared their opposition to the ban of artificial turf.

Brian Hubel communicated their opposition to the ban of artificial turf.

Cindy Russell, Santa Clara Valley Medical Association, voiced their support for the ban of artificial turf.

Daniel McCune, Athletic Director, Fremont High School, shared their opposition to the ban of artificial turf.

Ganesh, Northern California Cricket Association, spoke in opposition to the ban of artificial turf.

Kristel Wickham communicated their support for the ban of artificial turf.

Kunal Chakraborti, Sunnyvale Cricket Club, voiced their opposition to the ban on artificial turf.

Paressa Amrbar spoke in support for the ban of artificial turf.

Jacob shared their opposition to the ban of artificial turf.

Aiden Chen spoke in support for the ban of artificial turf.

Ken Look shared their opposition to the ban of artificial turf.

Biju Nair voiced their opposition to the ban on artificial turf.

Sufee Kathane, Silicon Valley Youth Climate Action, spoke in support for the ban of artificial turf.

Maddy Chang, Silicon Valley Youth Climate Action, voiced their support for the ban of artificial turf.

Jen Chen spoke in opposition to the ban of artificial turf.

Jason Dy-Johnson shared their opposition to the ban of artificial turf.

Odin spoke in support for the ban of artificial turf.

Anne Marie Bonneau communicated their support for the ban of artificial turf.

Nicole Lee, Bay Area Youth Climate Action Team, voice their support for the ban on artificial turf.

Steve Belong spoke in opposition to the ban of artificial turf.

Kristina Pistone communicated their support for the ban of artificial turf.

Caroline McKusick spoke in support of the ban of artificial turf.

Judy Camarota voiced their support for the ban of artificial turf.

Member of the public communicated their support for the ban of artificial turf.

Public Hearing closed at 11:10 p.m.

MOTION: Councilmember Mehlinger moved and Mayor Klein seconded the motion to approve Alternative 1: Approve the proposed policy to ban the use of artificial turf on City property and direct staff to revisit the policy upon the completion of Study Issue ESD 24-01- Evaluate the Use of Artificial Turf versus Living Groundcovers with the following modification: To exempted banning the replacing or repairing of existing artificial turf during the duration of Study Issue ESD 24-01.

The motion failed with the following vote:

Yes: 2 - Mayor Klein
Councilmember Mehlinger

No: 4 - Vice Mayor Srinivasan
Councilmember Melton
Councilmember Din
Councilmember Sell

Absent: 1 - Councilmember Cisneros

MOTION: Councilmember Melton moved and Vice Mayor Srinivasan seconded the motion to approve Alternative 2: Do not approve the proposed policy and defer the decision pending the completion of Study Issue ESD 24-01 - Evaluate the Use of Artificial Turf versus Living Groundcovers.

The motion carried with the following vote:

Yes: 4 - Vice Mayor Srinivasan
Councilmember Melton
Councilmember Din
Councilmember Sell

No: 2 - Mayor Klein
Councilmember Mehlinger

Absent: 1 - Councilmember Cisneros

MOTION: Vice Mayor Srinivasan moved and Mayor Klein seconded the motion to hear agenda item 4.

The motion carried with the following vote:

Yes: 5 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Din
Councilmember Mehlinger
Councilmember Sell

No: 1 - Councilmember Melton

Absent: 1 - Councilmember Cisneros

4 [24-0036](#) Appoint Applicants to the Heritage Preservation Commission and Personnel Board

City Clerk David Carnahan provided the staff report.

Public Hearing opened at 11: 56 p.m.

No speakers.

Public Hearing closed at 11:56 p.m.

City Clerk David Carnahan distributed the paper voting ballots, tallied the votes and reported the results as follows:

Heritage Preservation Commission (1 vacancy)

Parthiv Rawal (only preference)

Vote: 5-0-1 (Abstention by Councilmember Mehlinger)

Personnel Board (1 vacancy)

Jeff Kucer (only preference)

Vote: 6-0-0

City Council took a recess at 12:00 a.m. and returned at 12:06 a.m. with all Mayor Klein, Vice Mayor Srinivasan and Councilmembers Melton, Din, Mehlinger and Sell present.

MOTION: Vice Mayor Srinivasan moved and Mayor Klein seconded the motion to hear agenda item 5.

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

5 [24-0923](#) Approve the Appointment of the City Manager and Approve the Employment Agreement

Interim City Manager Tim Kirby recused themselves from this agenda item due as it is pertaining to their potential employment agreement.

Human Resources Director Tina Murphy provided the staff report.

Public Hearing opened at 12:11 a.m.

No speakers.

Public Hearing closed at 12:11 a.m.

MOTION: Vice Mayor Srinivasan moved and Councilmember Melton seconded the motion to approve Alternative 1: Appoint Tim Kirby as City Manager, approve an employment agreement as outlined in Attachment 1 to the report, and authorize the Mayor to execute the agreement.

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

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Agenda item not heard by Council.

NON-AGENDA ITEMS & COMMENTS

-Council

Agenda item not heard by Council.

-City Manager

Agenda item not heard by Council.

INFORMATION ONLY REPORTS/ITEMS

- [24-0867](#) Tentative Council Meeting Agenda Calendar
- [24-0868](#) Board/Commission Meeting Minutes
- [24-0869](#) Information/Action Items
- [24-0904](#) Council Advocacy Letters

ADJOURNMENT

Mayor Klein adjourned the meeting at 12:20 a.m.