



City of Sunnyvale

Meeting Minutes City Council

Tuesday, February 25, 2020

6:00 PM

Council Chambers and West Conference
Room, City Hall, 456 W. Olive Ave.,
Sunnyvale, CA 94086

Special Meeting: Study Session - 6 PM | Regular Meeting - 7 PM

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

1 Call to Order in the West Conference Room (Open to the Public)

Vice Mayor Smith called the meeting to order at 6:00 p.m.

2 Roll Call

Present: 6 - Mayor Larry Klein
Vice Mayor Nancy Smith
Councilmember Glenn Hendricks
Councilmember Russ Melton
Councilmember Michael S. Goldman
Councilmember Mason Fong

Absent: 1 - Councilmember Gustav Larsson

4 Study Session

[20-0026](#) Discussion of Options and Recommendation on Elimination of
Fines for Overdue Library Materials (Study Issue LCS 19-02)

Library and Community Services Director Cherise Brandell and Library Circulation
Manager Ellen Giarrizzo provided the staff report and presentation.

3 Public Comment

Public Comment opened at 6:48 p.m.

Daniel Bremond, Board of Library Trustees Member shared details of the Board's
discussion and his concerns regarding potential increases in lost library materials.

Ari Finesmith questioned if non-book/movie materials, such as Kill-a-Watt meters
accrue library fines.

Public Comment closed at 6:52 p.m.

5 Adjourn Special Meeting

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

7 P.M. COUNCIL MEETING

CALL TO ORDER

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

SALUTE TO THE FLAG

ROLL CALL

Present: 6 - Mayor Larry Klein
Vice Mayor Nancy Smith
Councilmember Glenn Hendricks
Councilmember Russ Melton
Councilmember Michael S. Goldman
Councilmember Mason Fong

Absent: 1 - Councilmember Gustav Larsson

SPECIAL ORDER OF THE DAY

[20-0294](#) SPECIAL ORDER OF THE DAY - Women's History Month

Mayor Klein presented a proclamation in honor of Women's History Month to Mary Hidalgo.

[20-0335](#) SPECIAL ORDER OF THE DAY - League of Women Voters Day

Mayor Klein presented a proclamation in honor of Voters Day to Elaine Manley and others, Cupertino-Sunnyvale League of Women Voters. Ms. Manly announced the upcoming Celebrate 100 Years of the League of Women Voters event.

[20-0295](#) SPECIAL ORDER OF THE DAY - Arbor Day Celebration and Proclamation

Mayor Klein presented a proclamation in honor of Arbor Day to Urban Landscape Manager Leonard Dunn.

Mr. Dunn shared details of the City's commitment to trees.

ORAL COMMUNICATIONS

Councilmember Melton shared details of the Community Event Grants and Neighborhood Grants program. He announced the next Sustainability Speaker Series event.

Terry Sturtevant spoke in support of Study Issue DPW 20-11 Evaluate Feasibility of Dog Off-leash Hours in Select Sunnyvale Parks.

Kevin Merritt shared support for DPW 20-11.

Debbie Lee communicated support for DPW 20-11.

Dan Rickhoff spoke in support of DPW 20-11 and shared a petition.

Norman Nelson shared support for DPW 20-11.

Cindy Hayes-Rupp communicated support for DPW 20-11.

Josh Grossman voiced concerns regarding recent election mailers sent by the City.

Holly Lofgren shared details of the No on Measure B - No Directly Elected Sunnyvale Mayor campaign committee and concerns regarding the inclusion of a directly elected mayor in Measure B.

Maddi Hausmann voiced support for DPW 20-11.

CONSENT CALENDAR

Mayor Klein reported item 1.G. would be pulled from the Consent Calendar.

MOTION: Vice Mayor Smith moved and Councilmember Melton seconded the motion to approve Items 1.A through 1.F and 1.H through 1.I.

Council took a recess at 7:41 p.m. and reconvened at 7:59 p.m. with all Councilmembers present (Councilmember Larsson absent).

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Smith
Councilmember Hendricks
Councilmember Melton
Councilmember Goldman
Councilmember Fong

No: 0

Absent: 1 - Councilmember Larsson

1.A [20-0055](#) Approve City Council Meeting Minutes of February 4, 2020
Approve the City Council Meeting Minutes of February 4, 2020 as submitted.

1.B [20-0252](#) Approve City Council Meeting Minutes of February 7, 2020
Approve the City Council Meeting Minutes of February 7, 2020 as submitted.

1.C [20-0070](#) Approve the List(s) of Claims and Bills Approved for Payment
by the City Manager
Approve the list(s) of claims and bills.

1.D [20-0262](#) Adopt a Resolution Amending the City's Salary Resolution and
Schedule of Pay to Increase Salaries for Pay Plan Category A
(Communication Officers Association) Effective March 8, 2020
Adopt a Resolution amending the City's Salary Resolution and Schedule of Pay to
increase salaries for Pay Plan Category A (Communication Officers Association)
effective March 8, 2020.

1.E [20-0085](#) Award of Bid No. PW20-07 to J. J. R. Construction, Inc. for
Concrete Sidewalk, Curb, Gutter, Driveway Replacement and
Tree and Stump Removal 2019 and Finding of California
Environmental Quality Act (CEQA) Categorical Exemption

Take the following actions:

- Make a finding of a categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c);
- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$2,642,950.10 to J. J. R. Construction Inc.;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and

- Approve a 10% construction contingency in the amount of \$264,295.

- 1.F** [19-1164](#) Award of Contract to Siegfried Engineering, Inc. for the Lawrence Station Area Sidewalk and Bicycle Facilities Project and Determination of Proposal Non-responsiveness (F20-015)

Take the following actions:

- Award a contract to Siegfried Engineering, Inc. for Lawrence Station Area Sidewalk and Bicycle Facilities, in substantially the same form as Attachment 1 to the report, in the amount of \$415,200;
- Authorize the City Manager to execute the contract when all necessary conditions have been met;
- Approve a 10% contingency in the amount of \$41,520; and
- Make a determination that the proposal received from BKF Engineers, Inc. is non-responsive due to the proposer not submitting a required Caltrans Local Assistance Procedure Manual form.

- 1.G** [20-0168](#) Award of Contract to Jacobs Project Management Co. for Construction Management Services for the Civic Center Phase I Project (F20-041)

Public Hearing opened at 8:02 p.m.

Zachary Kaufman shared concerns regarding funding for the project.

Public Hearing closed at 8:02 p.m.

MOTION: Vice Mayor Smith moved and Councilmember Melton seconded the motion to take the following actions:

- Award a contract to Jacobs Project Management Co. of San Jose for construction management services for the Civic Center Phase I project in substantially the same form as Attachment 1 to the report in an amount not-to-exceed \$7,873,685;
- Authorize the City Manager to execute the contract when all the necessary conditions have been met;
- Approve a 10% design contingency in the amount of \$764,033; and
- Authorize the City Manager to amend the contract annually to increase the not-to-exceed contract amount by 3.5%, within budgeted amounts.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Smith
Councilmember Hendricks
Councilmember Melton
Councilmember Goldman
Councilmember Fong

No: 0

Absent: 1 - Councilmember Larsson

- 1.H** [20-0166](#) Authorize the Issuance of a Purchase Order to L.N. Curtis & Sons for the Purchase of Fire Protective Clothing, Equipment and Fire Safety Supplies for the Department of Public Safety (F20-085)

Take the following actions:

- Authorize the issuance of a blanket purchase order in substantially the same form as Attachment 1 to the report in the amount of \$245,000 to L.N. Curtis & Sons; and
- Authorize the City Manager to amend and renew the purchase order for two (2) additional one year periods, not-to-exceed budgeted amounts, provided pricing and service remain acceptable to the City.

- 1.I** [20-0238](#) Modify a Purchase Order with Golden State Fire Apparatus for Four (4) Fire Pumper Apparatuses (F19-021) and Approve Budget Modification No. 23

Take the following actions:

- Authorize the City Manager to amend an existing purchase order with Golden State Fire Apparatus for four (4) Fire Pumper Apparatuses (F19-021) to increase the amount to \$2,392,281.53; and
- Approve Budget Modification No. 23 to appropriate \$132,478.09 to the Fleet Equipment Replacement account to fund the additional cost for the purchase.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [20-0115](#) Consider Conditional Funding Awards for \$26 Million in Housing Mitigation Funds, Below Market Rate In-Lieu Funds, and Low Mod Income Housing Asset Funds for Development and/or Rehabilitation of Three Affordable Housing Developments

Housing Officer Jenny Carloni provided the staff report and presentation.

Public Hearing opened at 8:47 p.m.

Jose Lujano, Planning and Community Engagement Manager, First Community Housing shared details of First Community Housing's project.

Felix AuYeung, Director of Business Development, MidPen provided details of the project from MidPen.

Ann Silverberry, Chief Executive Officer, Related California Affordable, Northern California Division communicated details of the Block 15 project.

Jan Stokley, Executive Director, Housing Choices voiced support for the projects.

Richard Mehlinger communicated support for the projects.

Public Hearing closed at 9:08 p.m.

MOTION: Councilmember Fong moved and Vice Mayor Smith seconded the motion to approve Alternative 2: Award conditional funding commitments to the projects listed in Attachment 3 to the report with the following modifications, increase the allotment to Orchard Gardens by \$1.2 million and direct staff to explore a joint agreement for the Sonora Court Project.

The motion failed with the following vote:

Yes: 2 - Vice Mayor Smith
Councilmember Fong

No: 4 - Mayor Klein
Councilmember Hendricks
Councilmember Melton
Councilmember Goldman

Absent: 1 - Councilmember Larsson

MOTION: Councilmember Melton moved and Councilmember Hendricks seconded the motion to approve Alternative 2: Award conditional funding commitments to the projects listed in Attachment 3 to the report with the following modification, direct staff to explore a joint agreement for the Sonora Court Project.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Smith
Councilmember Hendricks
Councilmember Melton
Councilmember Goldman
Councilmember Fong

No: 0

Absent: 1 - Councilmember Larsson

Council took a recess at 9:31 p.m. and reconvened at 9:42 p.m. with all Councilmembers present (Councilmember Larsson absent).

3 [20-0275](#) Adopt Positions on State and Local Ballot Measures for the March 3, 2020 Election

Deputy City Manager Jaqui Guzman provided the staff report.

Public Hearing opened at 9:52 p.m.

Chris Robell spoke in opposition to Measure G.

Sarah Robell shared opposition to Measure G.

Jason Vanoncini voiced opposition to Measure G.

Martin Pyne, Political Director, Sunnyvale Democratic Club, shared the Club's support for Measures B, G and H.

Cal Cornwell voiced support for Measure B.

Mike Serrone communicated support for Measures G and H. He shared comments regarding Measure B.

Richard Mehlinger shared support for Proposition 13 and Measures B, G and H.

Jennifer Tasseff voiced support for the Yes on Measure B 2020 Committee and Measure B.

Holly Lofgren shared concerns with Measure B and support for a 7-member district voting system.

Public Hearing closed at 10:17 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Melton seconded the motion to support Proposition 13: Authorizes Bonds for Facility Repair, Construction, and Modernization at Public Preschools, K-12 Schools, Community Colleges, and Universities.

The motion carried with the following vote:

Yes: 4 - Mayor Klein
Councilmember Hendricks
Councilmember Melton
Councilmember Fong

No: 0

Absent: 1 - Councilmember Larsson

Abstain: 2 - Vice Mayor Smith
Councilmember Goldman

MOTION: Councilmember Hendricks moved and Councilmember Melton seconded the motion to support Measure B: City of Sunnyvale Charter Amendment.

The motion carried with the following vote:

Yes: 4 - Mayor Klein
Councilmember Hendricks
Councilmember Melton
Councilmember Fong

No: 1 - Councilmember Goldman

Absent: 1 - Councilmember Larsson

Abstain: 1 - Vice Mayor Smith

MOTION: Councilmember Melton moved and Councilmember Fong seconded the motion to support Measure G: Foothill-De Anza Community College District School Bonds.

The motion carried with the following vote:

Yes: 5 - Mayor Klein
Vice Mayor Smith
Councilmember Hendricks
Councilmember Melton
Councilmember Fong

No: 0

Absent: 1 - Councilmember Larsson

Abstain: 1 - Councilmember Goldman

MOTION: Councilmember Melton moved and Vice Mayor Smith seconded the motion to support Measure H: Foothill-De Anza Community College District Parcel Tax.

The motion carried with the following vote:

Yes: 5 - Mayor Klein
Vice Mayor Smith
Councilmember Hendricks
Councilmember Melton
Councilmember Fong

No: 0

Absent: 1 - Councilmember Larsson

Abstain: 1 - Councilmember Goldman

MOTION: Councilmember Melton moved and Vice Mayor Smith seconded the motion to support Measure O: Cupertino Union School District Parcel Tax.

The motion carried with the following vote:

Yes: 5 - Mayor Klein
Vice Mayor Smith
Councilmember Hendricks
Councilmember Melton
Councilmember Fong

No: 0

Absent: 1 - Councilmember Larsson

Abstain: 1 - Councilmember Goldman

MOTION: Councilmember Melton moved and Councilmember Hendricks seconded

the motion to approve Alternative 2: Affirm that, as required by State law, no public funds have been or will be used to campaign for or against any of these measures.

The motion carried with the following vote:

Yes: 5 - Mayor Klein
Vice Mayor Smith
Councilmember Hendricks
Councilmember Melton
Councilmember Fong

No: 0

Absent: 1 - Councilmember Larsson

Abstain: 1 - Councilmember Goldman

4 [20-0064](#) Approve Art in Private Development Project - Hunter Properties/CityLine: 1000 Suns (Phase 1)

Ellie Hunter and Jason Kelly Johnson provided the applicant presentation.

Public Hearing opened at 10:45 p.m.

No speakers.

Public Hearing closed at 10:45 p.m.

MOTION: Vice Mayor Smith moved and Councilmember Hendricks seconded the motion to approve Alternative 1: Accept the Arts Commission's recommendation to approve the artwork as it is proposed with the following condition of approval: require the developer to submit a landscape plan to the Community Services Coordinator II prior to installation of the art.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Smith
Councilmember Hendricks
Councilmember Melton
Councilmember Goldman
Councilmember Fong

No: 0

Absent: 1 - Councilmember Larsson

5 [20-0209](#) Approve Recommendation of Public Art - Fair Oaks Park Renovation

Community Services Manager Trenton Hill and Community Services Coordinator Kristin Dance provided the staff report and presentation.

Public Hearing opened at 11:06 p.m.

Solomon Bassoff, Faducci voiced support for Conceptual Art Proposal Number 1.

James Moore communicated support for Conceptual Art Proposal Number 4.

Richard Mehlinger shared support for Conceptual Art Proposal Number 4 and the idea of curating art based on specific historic time periods.

Martin Pyne voiced support for the various proposals and requested staff minimize the impact of artwork lighting on nature.

Public Hearing closed at 11:14 p.m.

MOTION: Councilmember Melton moved and Councilmember Fong seconded the motion to approve Alternative 1: Approve the Arts Commission recommendation for design concept number four by James Moore.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Smith
Councilmember Hendricks
Councilmember Melton
Councilmember Goldman
Councilmember Fong

No: 0

Absent: 1 - Councilmember Larsson

6 [20-0210](#) Approve Recommendation of Public Art - Washington Community Swim Center

Community Services Manager Trenton Hill and Community Services Coordinator Kristin Dance provided the staff report and presentation.

Public Hearing opened at 11:33 p.m.

Denise Hart communicated support for Conceptual Art Proposal Number 2.

Solomon Bassoff, Faducci voiced support for Conceptual Art Proposal Number 1.

Richard Mehlinger shared support for Conceptual Art Proposal Number 1.

Public Hearing closed at 11:40 p.m.

MOTION: Councilmember Melton moved and Councilmember Hendricks seconded the motion to approve Alternative 2: Do not accept the Arts Commission recommendation and approve Conceptual Art Proposal Number 1 by Faducci.

The motion carried with the following vote:

Yes: 4 - Mayor Klein
Councilmember Hendricks
Councilmember Melton
Councilmember Goldman

No: 2 - Vice Mayor Smith
Councilmember Fong

Absent: 1 - Councilmember Larsson

MOTION: Vice Mayor Smith moved and Councilmember Melton seconded the motion to hear item 7.

The motion carried with the following vote:

Yes: 5 - Mayor Klein
Vice Mayor Smith
Councilmember Hendricks
Councilmember Melton
Councilmember Fong

No: 1 - Councilmember Goldman

Absent: 1 - Councilmember Larsson

7 [20-0253](#) Approve the Proposed 2020 Priority Advocacy Issues and

review Long-term Legislative Advocacy Positions (LAPs)

Deputy City Manager Jaqui Guzman provided the staff report and presentation.

Public Hearing opened at 12:01 a.m.

Richard Mehlinger communicated support for Priority Advocacy Issue 11.

Public Hearing closed at 12:04 a.m.

MOTION: Vice Mayor Smith moved and Councilmember Hendricks seconded the motion to approve Alternative 1: Approve the proposed 2020 Priority Advocacy Issues (Attachment 1 to the report).

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Smith
Councilmember Hendricks
Councilmember Melton
Councilmember Goldman
Councilmember Fong

No: 0

Absent: 1 - Councilmember Larsson

MOTION: Vice Mayor Smith moved and Councilmember Hendricks seconded the motion to hear item 8.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Smith
Councilmember Hendricks
Councilmember Melton
Councilmember Goldman
Councilmember Fong

No: 0

Absent: 1 - Councilmember Larsson

- 8 [19-1177](#) Approve Budget Modification No. 21 to Increase Project No. 832670 - Sunnyvale Elections in the Amount of \$663,288 and Make a Finding of Exemption from the California Environmental Quality Act

Deputy City Manager Jaqui Guzman provided the staff report.

Public Hearing opened at 12:10 a.m.

No speakers.

Public Hearing closed at 12:10 a.m.

MOTION: Councilmember Hendricks moved and Councilmember Melton seconded the motion to approve Alternative 1: Approve Budget Modification No. 21 in the amount of \$663,288 and find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b) (4).

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Smith
Councilmember Hendricks
Councilmember Melton
Councilmember Goldman
Councilmember Fong

No: 0

Absent: 1 - Councilmember Larsson

MOTION: Vice Mayor Smith moved and Councilmember Fong seconded the motion to hear the remainder of the agenda.

The motion carried with the following vote:

Yes: 4 - Mayor Klein
Vice Mayor Smith
Councilmember Goldman
Councilmember Fong

No: 2 - Councilmember Hendricks
Councilmember Melton

Absent: 1 - Councilmember Larsson

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

None.

NON-AGENDA ITEMS & COMMENTS

-Council

None.

-City Manager

City Manager Kent Steffens announced the upcoming Study Issues/Budget Issues Workshop.

INFORMATION ONLY REPORTS/ITEMS

- [20-0109](#) Tentative Council Meeting Agenda Calendar
- [20-0110](#) Board/Commission Meeting Minutes
- [20-0118](#) Information/Action Items
- [20-0045](#) Study Session Summary of March 19, 2019 - The Structure and Function of the Subcommittee titled "Discussion of the Council Subcommittee to Discuss Items of Mutual Interest with Local School Districts" (Information Only).
- [20-0284](#) Notice of Public Works Director's Decision on Final Maps (Information Only)
- [20-0345](#) Study Session Summary of February 4, 2020 - Housing Strategy (2017 Study Issue)

ADJOURNMENT

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