



City of Sunnyvale

Meeting Minutes City Council

Tuesday, May 2, 2023

5:30 PM

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

Special Meeting: Closed Session - 5:30 PM | Regular Meeting - 7 PM

5:30 P.M. SPECIAL COUNCIL MEETING (Closed Session)

Call to Order

Vice Mayor Din called the meeting to order at 5:35 p.m.

Roll Call

Present: 7 - Mayor Larry Klein
Vice Mayor Omar Din
Councilmember Russ Melton
Councilmember Alysa Cisneros
Councilmember Richard Mehlinger
Councilmember Murali Srinivasan
Councilmember Linda Sell

Public Comment

Public Comment opened at 5:37 p.m.

No speakers.

Public Comment closed at 5:37 p.m.

Convene to Closed Session

Council convened to Closed Session in the Council Conference Room at 5:37 p.m.

A [23-0548](#) Closed Session held pursuant to Paragraph (1) of subdivision (d) of California Government Code Section 54956.9: CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Name of case: John Doe v. City of Sunnyvale et al., United States District Court, Northern District of California, Case No. 5:22-cv-08685.

B [23-0230](#) 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: Sunnyvale Managers Association (SMA)

Adjourn Special Meeting

Vice Mayor Din adjourned the meeting at 6:57 p.m.

7 P.M. COUNCIL MEETING

CALL TO ORDER

Mayor Klein called the meeting to order at 7:03 p.m.

SALUTE TO THE FLAG

Mayor Klein led the salute to the United States flag.

ROLL CALL

Present: 7 - Mayor Larry Klein
Vice Mayor Omar Din
Councilmember Russ Melton
Councilmember Alysa Cisneros
Councilmember Richard Mehlinger
Councilmember Murali Srinivasan
Councilmember Linda Sell

CLOSED SESSION REPORT

Vice Mayor Din reported that Council met in Closed Session Held Pursuant to California Government Code 54956.9: Conference with Legal Counsel Existing Litigation Name of case: John Doe v. City of Sunnyvale et al., United States District Court, Northern District of California, Case No. 5:22cv08685; nothing to report.

Vice Mayor Din reported that Council met in Closed Session Held Pursuant to California Government Code 54957.6: Conference with Labor Negotiators Agency Designated Representatives: Tina Murphy, Director of Human Resources Employee Organization: Sunnyvale Managers Association (SMA); nothing to report.

SPECIAL ORDER OF THE DAY**C** [23-0370](#) Affordable Housing Month

Mayor Klein spoke in recognition of Affordable Housing Month.

Ann Silverberg, Chief Executive Officer, Related California Nor Cal Affordable and Northwest Divisions, provided a statement on behalf of Affordable Housing Month.

Public Comment 7:19 p.m.

Cory Wolbach, Silicon Valley@Home, spoke to the importance of highlighting affordable housing initiative services in the community.

Public Comment 7:20 p.m.

D [23-0373](#) Public Service Recognition Week

Mayor Klein spoke in recognition of Public Service Recognition Week.

Human Resources Director Tina Murphy provided a statement on behalf of Public Service Recognition Week and City employees.

E [23-0374](#) Public Works Week

Mayor Klein spoke in recognition of Public Works Week.

Public Works Director Chip Taylor and Assistant City Engineer Allison Boyer provided a statement on behalf of Public Works Week.

F [23-0372](#) Municipal Clerks Week

Mayor Klein spoke in recognition of Municipal Clerks Week.

PRESENTATION**G** [23-0494](#) Update Regarding Valley Water (VW) Proposed Rate
Increases by VW Director Richard Santos

Richard Santos, Director, Valley Water; Darin Taylor, Chief Financial Office, Valley Water; and Aaron Baker, Chief Operating Officer, Valley Water, provided the presentation.

ORAL COMMUNICATIONS

Suh Jean Lin shared their hurtful experiences using Home First shelter services and asked the City for help regarding her situation.

Kristina Kawczynski, Event Coordinator, Sunnyvale Downtown Association, announced upcoming events being held in downtown Sunnyvale.

CONSENT CALENDAR

Public Comment opened at 8:18 p.m.

No speakers.

Public Comment closed at 8:18 p.m.

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

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Din
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Srinivasan
Councilmember Sell

No: 0

1.A [23-0268](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Approve the list(s) of claims and bills.

1.B [23-0441](#) Award of Contract to Pavement Coatings Co. for Slurry Seal 2023-B, Finding of Categorical Exemption from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15301(c)

Take the following actions:

- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$1,376,491.10 to Pavement Coatings Co.;
- Approve a 10% construction contingency in the amount of \$137,649.00;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and

- Make a finding of a categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c).

- 1.C** [23-0326](#) Accept Google LLC's Donation of Voluntary Midblock Crosswalk Improvements on Borregas Avenue with an Estimated Construction Cost of \$126,000 and Finding of an Exemption from the California Environmental Quality Act

Accept Google LLC's donation of voluntary midblock crosswalk improvements on Borregas Avenue with an estimated construction cost of \$126,000 and finding of an exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c).

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [23-0169](#) Public Hearing to Adopt a Resolution Confirming the Annual Report to Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District (BID) for Fiscal Year 2023/24

Economic Development Manager Christine Velasquez provided the staff report and presentation.

Public Hearing opened at 8:28 p.m.

Mike Johnson, Executive Director, Sunnyvale Downtown Association, spoke on behalf of Sunnyvale downtown businesses and the Association Board to support adopting the resolution confirming the annual report.

Public Hearing closed at 8:33 p.m.

MOTION: Vice Mayor Din moved and Councilmember Melton seconded the motion to approve Alternative 1: Adopt a Resolution to confirm the Annual Report and Levy and collect an annual assessment for the Downtown Sunnyvale Business Improvement District for Fiscal Year 2023/24.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Din
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Srinivasan
Councilmember Sell

No: 0

City Council took a recess at 8:40 p.m. and reconvened at 8:47 p.m. with all Councilmembers present.

3 [23-0552](#) Consider Approval of Draft 2023 Housing and Urban Development (HUD) Action Plan

Housing Officer Jenny Carloni provided the staff report.

Public Hearing opened at 9:08 p.m.

Pilar Furlong, Chief Community Resource Officer, Bill Wilson Center, communicated how the U.S. Department of Housing and Urban Development grants provide critical funding for housing services offered by the Bill Wilson Center.

Aditi Mahmud, Associate Director, Mid Pen Housing, spoke to how the Community Development Block Grant (CDBG) funds will make a significant impact on the low-income housing services they provide.

Marie Bernard, Sunnyvale Community Services, shared how the CDB funds provide significant resources and aid for community services.

Jocelyn Chavez, Project Manager, Downtown Streets Team, spoke to the importance of Sunnyvale's support of the workforce program but noted their CDBG allocation has been reduced, which will impact the services they can provide.

Carlene Schmidt, HealthTrust Meals on Wheels Program, communicated how the CDBG funds from Sunnyvale will provide needed support for their community-based services.

Public Hearing closed at 9:31 p.m.

MOTION: Vice Mayor Din moved and Councilmember Sell seconded the motion to approve Alternative 1: Approve the 2023 HUD Action Plan as shown in Attachment 2 to the report.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Din
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Srinivasan
Councilmember Sell

No: 0

- 4** [23-0438](#) Public Safety Military Equipment Use Annual Report Pursuant to California Assembly Bill No. 481

Captain Fabian Monge provided the staff report and presentation.

Public Hearing opened at 10:09 p.m.

Ronnie Adler asked a question regarding their experience with the Department of Public Safety.

Public Hearing closed at 10:11 p.m.

MOTION: Councilmember Melton moved and Councilmember Mehlinger seconded the motion to approve Alternative 1: Adopt a Resolution regarding the presentation of the Annual Public Safety Military Equipment Use Report and renewing the Military Equipment Use Policy pursuant to California Assembly Bill No. 481 and finding the uses conformed to Policy and find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b) (3).

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Din
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Srinivasan
Councilmember Sell

No: 0

City Council took a recess at 10:18 p.m. and reconvened at 10:23 p.m. with all Councilmembers present.

- 5** [23-0478](#) Introduce an Ordinance to Repeal and Re-Adopt Sunnyvale Municipal Code Chapter 12.60 (Stormwater Management) and Find That the Action is Categorically Exempt From the California Environmental Quality Act (CEQA) Pursuant to Section 15308 of the CEQA Guidelines

Regulatory Programs Division Manager Melody Tovar provided the staff report.

Public Hearing opened at 10:26 p.m.

No speakers.

Public Hearing closed at 10:26 p.m.

MOTION: Councilmember Mehlinger moved and Councilmember Melton seconded the motion to approve Alternative 1: Introduce the Ordinance in Attachment 1 to the report to repeal and re-adopt Chapter 12.60 (Stormwater Management) of Title 12 (Waters and Sewers) of the Sunnyvale Municipal Code and find that this action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15308 of the CEQA Guidelines.

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

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Din
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Srinivasan
Councilmember Sell

No: 0

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Vice Mayor Din announced an upcoming Community Forum on Transportation in North Sunnyvale hosted by the Fremont Union High School District in collaboration with the City , Valley Transportation Authority (VTA) and Sunnyvale for Equity in Education.

NON-AGENDA ITEMS & COMMENTS

-Council

None.

-City Manager

None.

INFORMATION ONLY REPORTS/ITEMS

[23-0051](#) Tentative Council Meeting Agenda Calendar

[23-0052](#) Board/Commission Meeting Minutes

[23-0235](#) Information/Action Items

ADJOURNMENT

Mayor Klein adjourned the meeting at 10:29 p.m.