



City of Sunnyvale

Meeting Minutes - Final City Council

Tuesday, March 19, 2019

5:00 PM

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

**Special Meetings: Closed Session-5 PM | Study Session-6 PM | Special Meeting-6:45 PM
| Regular Meeting-7 PM**

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

Vice Mayor Melton announced the Closed Session item and invited members of the public to address the Council prior to Closed Session.

1 Call to Order in the West Conference Room

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

2 Roll Call

Present: 7 - Mayor Larry Klein
Vice Mayor Russ Melton
Councilmember Gustav Larsson
Councilmember Glenn Hendricks
Councilmember Nancy Smith
Councilmember Michael S. Goldman
Councilmember Mason Fong

3 Public Comment

No public comment.

4 Convene to Closed Session

[19-0268](#)

Closed Session held pursuant to California Government Code Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Tina Murphy, Director of Human Resources; Kent Steffens, City Manager

Employee organization: Sunnyvale Managers Association (SMA) and Sunnyvale Employees Association (SEA)

5 Adjourn Special Meeting

Vice Mayor Melton adjourned at 5:55 p.m.

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

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

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

2 Roll Call

Present: 7 - Mayor Larry Klein
Vice Mayor Russ Melton
Councilmember Gustav Larsson
Councilmember Glenn Hendricks
Councilmember Nancy Smith
Councilmember Michael S. Goldman
Councilmember Mason Fong

3 Public Comment

Public Comment was taken during discussion of the Study Session item.

4 Study Session

[19-0121](#) The Structure and Function of the Subcommittee titled
“Discussion of the Council Subcommittee to Discuss Items of
Mutual Interests with Local School Districts”

Council and staff met in Study Session to discuss the structure and function of the Council Subcommittees that meet to discuss items of mutual interests with local school districts.

Public Comment opened at 6:40 p.m.

Zachary Kaufman spoke in support of keeping the current structure and function of the subcommittee.

Steve Scandalis spoke in support of a liaison format and stated that it was important not to build a lobbying format.

Public Comment closed at 6:44 p.m.

5 Adjourn Special Meeting

Vice Mayor Melton adjourned the meeting at 6:44 p.m.

6:45 P.M. SPECIAL COUNCIL MEETING (Special Order of the Day)

1 Call to Order in the Council Chambers (Open to the Public)

Mayor Klein called the meeting to order at 6:50 p.m.

2 Roll Call

Present: 7 - Mayor Larry Klein
Vice Mayor Russ Melton
Councilmember Gustav Larsson
Councilmember Glenn Hendricks
Councilmember Nancy Smith
Councilmember Michael S. Goldman
Councilmember Mason Fong

3 Public Comment

None.

4 Special Order of the Day

[19-0288](#) SPECIAL ORDER OF THE DAY - Santa Clara Valley Science and Engineering Fair 2018 Award Recipients
Location: Council Chambers

Mayor Klein presented a proclamation to Forrest Williams, Board Member of the Santa Clara Valley Science and Engineering Fair Association and recognized the winners of the Intel International Science and Engineering Fair.

5 Adjourn Special Meeting

Mayor Klein adjourned the meeting at 7:02 p.m.

7 P.M. COUNCIL MEETING

CALL TO ORDER

Mayor Klein called the meeting to order.

SALUTE TO THE FLAG

Mayor Klein led the Pledge of Allegiance.

ROLL CALL

Present: 7 - Mayor Larry Klein
Vice Mayor Russ Melton
Councilmember Gustav Larsson
Councilmember Glenn Hendricks
Councilmember Nancy Smith
Councilmember Michael S. Goldman
Councilmember Mason Fong

SPECIAL ORDER OF THE DAY

[19-0385](#) SPECIAL ORDER OF THE DAY - American Red Cross Month

Mayor Klein presented a proclamation in recognition of American Red Cross Month to Katie Roper, Government Relations volunteer at the American Red Cross.

CLOSED SESSION REPORT

Vice Mayor Melton reported the Council met in Closed Session pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS Agency designated representatives: Tina Murphy, Director of Human Resources; Kent Steffens, City Manager; Employee organization: Sunnyvale Managers Association (SMA) and Sunnyvale Employees Association (SEA); nothing to report.

ORAL COMMUNICATIONS

Councilmember Smith announced the availability of the draft Climate Action Playbook.

Councilmember Smith announced the City is accepting applications for the Community and Neighborhood Grant program.

Mayor Klein announced three upcoming Community Input Workshops for the Sunnyvale Election System proposed changes.

Mary Brunkhorst, Sunnyvale Urban Forest Advocates, spoke in support of the Urban Forest plan and provided a slide presentation.

CONSENT CALENDAR

MOTION: Vice Mayor Melton moved and Councilmember Smith seconded the motion to approve the Consent Calendar.

The motion carried by the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Melton
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman
Councilmember Fong

No: 0

1.A [19-0194](#) Approve City Council Special Meeting Minutes of February 7, 2019

Approve the City Council Special Meeting Minutes of February 7, 2019 as submitted.

1.B [19-0195](#) Approve City Council Meeting Minutes of February 26, 2019

Approve the City Council Meeting Minutes of February 26, 2019 as submitted.

1.C [19-0311](#) Approve City Council Meeting Minutes of March 5, 2019

Approve the City Council Meeting Minutes of March 5, 2019 as submitted.

1.D [19-0213](#) 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 [19-0300](#) Receive and File the City of Sunnyvale Investment Report - 4th Quarter 2018

Receive and file the City of Sunnyvale - Fourth Quarter 2018 Investment Report.

1.F [19-0265](#) Authorize Amending Existing Contracts for Building Plan Check and Inspection Services (F19-063).

Take the following actions:

- Authorize the City Manager to execute amendments to four (4) existing contracts: the Shums Coda Associates contract amount will increase \$50,000 for a new total not-to-exceed amount of \$350,000; the 4Leaf contract amount will increase \$150,000 for a new total not-to-exceed amount of \$450,000; the Municipal Plan Check Services contract amount will increase \$100,000 for a new not-to-exceed amount of \$300,000; and the CSG Consultants contract amount will increase

\$203,000 for a new not-to-exceed amount of \$301,000; in substantially the same form as Attachments 1 through 4 to the report.

- Authorize the City Manager to renew these contracts and modify contract amounts, within approved budget funding.

1.G [19-0151](#) Award of a Contract to Woodard & Curran for Wastewater Collection System Model Expansion and Capacity Analysis Project (F18-251)

1) Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$690,819 to Woodard & Curran and authorize the City Manager to execute the contract when all necessary conditions have been met and 2) Approve a contingency in the amount of \$66,953 and find the Action does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

PUBLIC HEARINGS/GENERAL BUSINESS

2 [19-0361](#) Adoption of Resolution Amending Resolution No. 907-18 (Declaring the City of Sunnyvale's Intent to Transition from At-Large to District-Based City Council Elections, Outlining Specific Steps to be Undertaken to Facilitate the Transition, and Estimating a Time Frame for Action Pursuant to Elections Code Section 10100) to State the City's Intent to Place a Measure on the March 2020 Ballot Proposing to Amend City of Sunnyvale Charter Section 601 and Provide Direction to Staff Regarding Scientific Polling.

City Attorney John Nagel and Deputy City Manager Jacqueline Guzman provided the staff report.

Public hearing opened at 7:50 p.m.

Linda Davis spoke regarding alternative ideas for the community outreach process that should be considered, including a "four plus two alternating map sloution". She urged the Council not to do the polling before the June meeting.

Mike Serrone, member of the Citizens Advisory Committee (CAC), speaking for himself, spoke in support of setting March 2020 as the date for the ballot measure, but objected to the statement that the next step is for the Council to decide whether

there would be seven districts or six districts with an at-large mayor. He also spoke regarding the time needed for map drawing.

Martin Pyne, member of the CAC, speaking on his own behalf, spoke in support of keeping an open ear to considering other options and in support of scientific polling. He suggested consideration of alternative numbers of districts.

Steve Chessin, President of Californians for Electoral Reform, urged passage of the resolution and recommended having only one charter amendment on the March ballot that creates seven Council districts. He also spoke regarding the mapping tool for drawing districts.

Steve Scandalis spoke in support of one change with one charter amendment ballot measure to create seven districts.

Public hearing closed at 8:03 p.m.

MOTION: Councilmember Hendricks moved and Vice Mayor Melton seconded the motion to approve Alternative 1: Adopt Resolution Amending Resolution No. 907-18 (Declaring the City of Sunnyvale's Intent to Transition from At Large to District Based City Council Elections, Outlining Specific Steps to be Undertaken to Facilitate the Transition, and Estimating a Time Frame for Action Pursuant to Elections Code Section 10100) to State the City's Intent to Place a Measure on the March 2020 Ballot Proposing to Amend City of Sunnyvale Charter Section 601 and provide direction to staff regarding scientific polling focused on the questions related to the number of districts and a directly elected Mayor.

The motion carried by the following vote:

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

No: 0

Abstain: 1 - Councilmember Goldman

3 [19-0293](#) Approve Updates to Council Policy 7.1.1 in Council Policy Manual Chapter 7, Section 1 - Fiscal Policies and Long Range

Goals

Finance Director Tim Kirby provided the staff report and noted a minor correction to Attachment 1, page 6, provided as supplemental materials on the dais, to strike giving the Director of Library and Community Services administrative authority to waive library user fees.

Public hearing opened at 8:39 p.m.

No speakers.

Public hearing closed at 8:39 p.m.

MOTION: Vice Mayor Melton moved and Councilmember Smith seconded the motion to approve Alternative 1: Approve revisions to Council Policy 7.1.1 Fiscal Long Range Goals and Fiscal Policies as presented in Attachment 1 of the report with a modification to remove the extemporaneous word “for” on Page 11 of section G.1.2.

The motion carried by the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Melton
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman
Councilmember Fong

No: 0

- 4** [19-0267](#) Introduce an Ordinance Adding Chapter 1.07 (Administrative Subpoena) to the Sunnyvale Municipal Code Authorizing City Staff to Issue Administrative Subpoenas in Connection with Code Enforcement Investigations

Assistant City Attorney Anais Aquino provided the staff report.

Public hearing opened at 8:58 p.m.

No speakers.

Public hearing closed at 8:58 p.m.

MOTION: Vice Mayor Melton moved and Councilmember Larsson seconded the motion to approve Alternative 1: Introduce an Ordinance Adding Chapter 1.07 (Administrative Subpoena) to the Sunnyvale Municipal Code and find that the action is exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

City Clerk Kathleen Franco Simmons read the Ordinance title for the record.

The motion carried by the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Melton
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman
Councilmember Fong

No: 0

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Smith provided information regarding an upcoming Peninsula Division luncheon and fundraiser.

NON-AGENDA ITEMS & COMMENTS

-Council

Councilmember Fong invited Deputy Chief with Police Services Bureau Dayton Pang to introduce himself.

Councilmember Hendricks reported he attended the recent National League of Cities conference in Washington DC during which he and the Vice Mayor met with the Director and Senior Management of the Federal Aviation Administration.

Vice Mayor Melton agreed with Councilmember Hendricks comments about the meeting with the FAA.

Councilmember Smith reported that they also met with the Department of Transportation, the Environmental Protection Agency, NASA, several staff members

from the offices of Senator Kamala Harris, Senator Dianne Feinstein, Representative Anna Eshoo, Representative Ro Khanna and his staff members.

-City Manager

City Manager Kent Steffens attended a meeting with Mayor Klein and Councilmember Larsson on Senator Hill's Housing Round Table to discuss affordable housing in this region.

INFORMATION ONLY REPORTS/ITEMS

[19-0307](#) Tentative Council Meeting Agenda Calendar

[19-0308](#) Information/Action Items

ADJOURNMENT

Mayor Klein adjourned the meeting at 9:08 p.m.