



# City of Sunnyvale

## Meeting Minutes - Draft

### City Council

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Tuesday, January 23, 2024

5:00 PM

1. Online  
2. Council Chambers, City Hall, 456 W.  
Olive Ave., Sunnyvale, CA 94086  
3. Council Chambers, 500 Castro St.,  
Mountain View, CA 94041

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**Special Joint Meeting with City of Mountain View City Council: Closed Session - 5 PM |  
Special Meeting: Special Order of the Day - 6:30 PM | Regular Meeting - 7 PM**

#### **5 P.M. SPECIAL JOINT MEETING WITH CITY OF MOUNTAIN VIEW CITY COUNCIL** **(Closed Session)**

#### **Call to Order**

Vice Mayor Srinivasan called the meeting to order at 5:02 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

Councilmember Mehlinger participated via teleconference.

#### **Public Comment**

Public Comment opened at 5:05 p.m.

No speakers.

Public Comment closed at 5:05 p.m.

#### **Convene to Closed Session**

Council convened to Closed Session in the Council Conference Room at 5:07 p.m.

**A**      [24-0178](#)      Closed Session Held Pursuant to California Government Code  
Section 54956.9:  
CONFERENCE WITH LEGAL COUNSEL-EXISTING

LITIGATION

(Paragraph (1) of Subdivision (d) of Section 54956.9)

Name of Case: San Francisco Baykeeper v. City of Sunnyvale

U.S. District Court, Northern Dist. of California Civil Case No.:

5:20-cv-00824-EJD

**Adjourn Special Meeting**

Vice Mayor Srinivasan adjourned the meeting at 6:33 p.m.

**6:30 P.M. SPECIAL COUNCIL MEETING (Special Order of the Day)**

**Call to Order**

Mayor Klein called the meeting to order at 6:40 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

Councilmember Mehlinger participated via teleconference.

**Special Order of the Day**

**B**      [24-0103](#)      Recognition of Santa Clara Valley Science and Engineering  
Fair Association (SCVSEFA) Award Winners

Mayor Klein provided award certificates to the 2023 SCVSEFA award winners.

Forrest Williams and Dr. Aulena Chaudhuri, SCVSEFA Board Members, provided remarks on the SCVSEFA program.

**Adjourn Special Meeting**

Mayor Klein adjourned the meeting at 6:57 p.m.

**7 P.M. COUNCIL MEETING**

**CALL TO ORDER**

Mayor Klein called the meeting to order at 7:05 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

Councilmember Mehlinger participated via teleconference.

**CLOSED SESSION REPORT**

Vice Mayor Srinivasan reported that Council met in Closed Session Held Pursuant to California Government Code Section 54956.9: Conference with Legal Counsel Existing Litigation (Paragraph (1) of Subdivision (d) of Section 54956.9) Name of Case: San Francisco Baykeeper v. City of Sunnyvale U.S. District Court, Northern Dist. of California Civil Case No.: 5:20 cv 00824 EJD; Council voted 7-0 to approve the filing of an amicus brief in the matter of City and County of San Francisco Vs. Environmental Protection Agency U.S. Supreme Court Case No. 23-753.

**SPECIAL ORDER OF THE DAY**

**C**      [24-0099](#)      Recognition of Outgoing Vice Mayor

Public Comment opened at 7:11 p.m.

No speakers.

Public Comment closed at 7:13 p.m.

Mayor Klein provided remarks in appreciation of former Vice Mayor Din.

Councilmember Din provided remarks.

**D**      [24-0100](#)      Ceremonial Oath of Office for Vice Mayor

Ganga Srinivasan administered the ceremonial Oath of Office to Vice Mayor Srinivasan

Public Comment opened at 7:22 p.m.

Sheila Mohan, Mayor of Cupertino, spoke in honor of Vice Mayor Srinivasan.

Tina Walis, City of Saratoga Councilmember, made remarks in honor of Vice Mayor Srinivasan.

Richard Santos, Vice Chair, Santa Clara Valley Water District, voiced their congratulations to Vice Mayor Srinivasan.

Member of the public offered their congratulations to Vice Mayor Srinivasan.

Lori Malahy provided congratulatory remarks to Vice Mayor Srinivasan.

Public Comment closed at 7:29 p.m.

Mayor Klein made remarks in honor of Vice Mayor Srinivasan.

Vice Mayor Srinivasan provided remarks.

Councilmember Mehlinger spoke in honor of Vice Mayor Srinivasan.

Councilmember Sell shared their congratulations to Vice Mayor Srinivasan.

**E**      [24-0086](#)      Slavery and Human Trafficking Prevention Month

Mayor Klein spoke in recognition of Slavery and Human Trafficking Prevention Month.

Sharan Dhanoa, Director, South Bay Coalition to End Human Trafficking, made remarks regarding Slavery and Human Trafficking Prevention Month

Councilmember Cisneros provided remarks in regard to Slavery and Human Trafficking Prevention Month.

### **ORAL COMMUNICATIONS**

Councilmember Cisneros announced details of the current recruitment for various Boards and Commissions and the Sunnyvale Sustainability Speaker Series webinars.

Margaret Lawson communicated concerns with Fremont Avenue.

Steven Meier shared their concerns with the San Francisco Baykeeper and the City of Sunnyvale lawsuit.

**CONSENT CALENDAR**

Public Comment opened at 7:51 p.m.

No speakers.

Public Comment closed at 7:51 p.m.

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

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**      [24-0013](#)      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**      [24-0158](#)      Award of Contract in the Amount of \$702,859 to W Bradley LLC for Traffic Signal Fiber Optic Communications Project, Finding of California Environmental Quality Act (CEQA) Exemption Pursuant to CEQA Guidelines Section 15301(c) (PW24-05)

Take the following actions:

- Award a contract in substantially form as Attachment 2 to the report in the amount of \$702,859 to W Bradley Electric, LLC;
- Approval of a 10% construction contingency in the amount of \$70,286;
- 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**      [24-0196](#)      Reinstatement and Amend an Existing Contract with Keenan & Associates for Workers' Compensation Claims Administration Services to Extend the Term by One Year and Increase the Not-To-Exceed Contract Amount to \$2,701,606.52 (F24-066)

Authorize the City Manager to reinstate the existing contract with Keenan & Associates, and execute a Fourth Amendment, in substantially the same form as Attachment 1 to the report, extending the contract term by one year and increasing the not-to-exceed amount by \$473,000 for new total not-to-exceed contract amount of \$2,701,606.52.

- 1.D**      [24-0211](#)      Approve Outside Counsel Agreement with Sloan Sakai Yeung & Wong LLP for Litigation Services in the Matter of Michael Laurent v. City of Sunnyvale

Authorize the City Attorney to execute an Agreement, in substantially the same form as Attachment 1 to the report, with the law firm of Sloan Sakai Yeung & Wong LLP in an amount not to exceed \$300,000.

**PUBLIC HEARINGS/GENERAL BUSINESS**

- 2**      [24-0101](#)      Annual Public Hearing-Discussion of Potential Council Study Issues and Budget Proposals for Calendar Year 2024

Senior Management Analyst Michelle Zahraie provided the staff report and presentation.

Public Hearing opened at 8:01 p.m.

Jon Blum, Bike Sunnyvale, shared a presentation in support of Budget Proposal 2024-01 Hire an Active Transportation Planner.

David Wessel, Bike Sunnyvale, continued the presentation.

Kevin Jackson, Bike Sunnyvale, shared a presentation in support of Study Issue DPW 24-02 Complete Streets Redesign of Fair Oaks Avenue.

Hans Bernhardt, Bike Sunnyvale, continued the presentation.

Mark Hlady, Bike Sunnyvale, shared a presentation in support of Study Issue DPW 24-09 Improving Pedestrian and Bicycle Safety Near Intersections and Crosswalks at Fremont High School and at Homestead High School and Other Innovative Traffic Improvements.

Alon Golan, Bike Sunnyvale, spoke in support of Study Issue DPW 24-09.

Sharlene Liu communicated their support for Budget Proposal 2024-01.

Andrea Wald spoke in support of Study Issue ESD 24-01 Evaluate the Use of Artificial Turf versus Living Groundcovers.

Susan Hinton, Sierra Club Loma Prieta Chapter Environmental Stewardship Program, shared their support for Study Issue ESD 24-01.

Erick Krock spoke in support of Study Issue DPW 24-08 Explore the Feasibility of Converting the PG&E Lots Facing Ramona Avenue, Lois Avenue, and/or Dona Avenue into an Open Green Space Linear Park for the Community.

Gary Tyrnauer shared a presentation in support of Study Issue DPW 20-11 Evaluate Feasibility of Dog Off-leash Hours in Select Sunnyvale Park(s).

Deeya Muhury voiced their support for Study Issue DPW 20-11.

Tina Ye communicated their support for Study Issue DPW 20-11.

Lori Malahy spoke in support of Study Issue DPW 20-11.

Harold Brown shared their support for Study Issue DPW 20-11.

Clark Hobson voiced their support for Study Issue DPW 20-11.

Pramod Sambaraju spoke in support of Study Issue DPW 24-08.

Rani Fischer, Santa Clara Valley Audubon Society, communicated their support for study issues CDD 24-02 and ESD 24-01.

Marie Bernard, Executive Director of Sunnyvale Community Services, shared their support for Study Issue CDD 24-03 Establishment of a Sanctioned Encampment for Unhoused Individuals in Sunnyvale.

Shane Jacksteit, Elevation Neighborhood Association, spoke in support of study issues CDD 24-04 Peery Park Specific Plan Amendment (area east of Mathilda Avenue) and CDD 24-03.

Bryce Beagle provided comment on the study issues being recommended to be

dropped by City staff.

David K. shared their support for study issues DPW 20-11, DPW 20-04 and DPW 24-05.

Liz Steward spoke in support of study issues CDD 24-03, CDD 22-02, CDD 22-07, CDD 23-05 and CDD 23-01.

Doug Kunz, Sustainability Commission Chair, provided the Sustainability Commission's study issues recommendations.

Mary Brunkhorst, Sunnyvale Urban Forests Advocates, voiced their support for study issues DPW 24-08 and ESD 24-01.

Pamela Bond shared their support for study issues ESD 24-01 and CDD 24-02.

Nicole Lee, Saratoga High School Environmental Action Club, communicated their support for study issues ESD 24-01 and CDD 24-02.

Dashiell Leeds, Conservation Coordinator, Sierra Club Loma Prieta Chapter, spoke in support for study issues ESD 24-01, CDD 24-02, LRS 24-01 and concerns regarding study issues DPW 20-13 and DPW 24-04.

Kimchi Chen, Cherry Chase Neighborhood Association, shared their support for Study Issue DPW 24-08.

Cortney Jansen spoke in support of Study Issue ESD 24-01 and to abandon Study Issue DPW 23-06.

Winnie Lam voiced their support for Study Issue DPW 24-01 Evaluate Feasibility of an Art Crosswalks Program or Policy.

Aiden Chen, Saratoga High School Environmental Action Club, shared their support for study issues ESD 24-01, CDD 24-02 and concerns with study issues DPW 24-04 and DPW 20-13.

Kristal Wickham communicated their support for budget proposals and study issues ESD 24-01, CDD 24-01, CDD 24-02, ESD 24-02, DPW 23-08 and DPW 23-07.

Neha Tadikamalla, Saratoga High School Environmental Action Club, spoke in



support for Study Issue CDD 24-02.

Carol Weiss shared their support for Study Issue CDD 24-02.

Wesly Yu spoke in support of Study Issue CDD 23-02 Consider General Plan Land Use Designation Amendments and Rezoning for 26 Legal Non-Conforming Single- and Two-Family Dwellings.

Alex Deboni voiced their support for Study Issue CDD 23-02.

Rose Gregorio shared their support for Study Issue CDD 24-03.

Truth communicated their support for Study Issue CDD 24-03.

Chuck Fraleigh spoke in support Study Issue CDD 24-03.

Carrie Levin voiced their support for Study Issue ESD 24-01.

Kerry Haywood, Moffett Park Business Group, spoke in support for Study Issue DPS 24-01 Evaluate an Ordinance or Resolution Allowing Traffic Enforcement on Private Roadways in the Moffett Park Specific Plan Area.

Public Hearing closed at 9:57 p.m.

Council took a recess at 9:58 p.m. and reconvened at 10:08 p.m. with all Councilmembers present; Councilmember Mehlinger participated via teleconference.

Councilmember Mehlinger sponsored a budget proposal to evaluate a Curb Painting Budget Modification. Mayor Klein, Vice Mayor Srinivasan, and Councilmembers Melton and Cisneros co-sponsored the budget proposal.

Councilmember Melton proposed a study issue to evaluate a Sunnyvale Gateway Program.

Councilmember Mehlinger suggested adding the US Highway 101 intersections to the study issue.

Councilmember Melton accepted the suggestion.

Mayor Klein, Vice Mayor Srinivasan, and Councilmember Cisneros, Din, Mehlinger and Sell co-sponsored the study issue.

Councilmember Din proposed a study issue to create a North Sunnyvale Quality of Life Master Plan. Mayor Klein, Vice Mayor Srinivasan, and Councilmembers Melton, Cisneros, Mehlinger, and Sell co-sponsored the study issue.

Councilmember Sell proposed a study issue to evaluate improving pedestrian and bicycle safety near intersections and crosswalks at Fremont High School and Homestead High School.

Councilmember Cisneros suggested adding the language of “and other innovative traffic improvements”.  
Councilmember Sell accepted the suggestion.

Councilmember Melton requested to add Wilcox High School to the parameters of the study issue.  
Councilmember Sell declined to accept the suggestion.

Councilmember Mehlinger suggested adding a scramble intersection at Fremont High School to the study issue.  
Councilmember Sell accepted to the suggestion.

Mayor Klein, Vice Mayor Srinivasan, and Councilmembers Cisneros and Mehlinger co-sponsored the study issue.

Mayor Klein proposed a study issue to re-evaluate Sunnyvale’s sign ordinance. Vice Mayor Srinivasan, and Councilmembers Melton, Cisneros, Mehlinger, Din and Sell co-sponsored the study issue.

Mayor Klein proposed a study issue to explore the costs, benefits, and operational changes of implementing a Special Needs Awareness Program (SNAP). Vice Mayor Srinivasan, and Councilmembers Melton, Cisneros, Din, Mehlinger, and Sell co-sponsored the study issue.

**3**      [24-0184](#)      Receive information on Potential Real Property Transfer Tax Measure, Provide Direction to Staff and Approve Budget Modification No. 11 in the Amount of \$40,000

Assistant Director of Finance Dennis Jaw provided the staff report and presentation.

Public Hearing opened at 11:16 p.m.

Sharlene Liu spoke in support of a Real Property Transfer Tax (RPTT) to assist in

funding active transportation projects.

Jon Blum shared their confusion to how the RPTT would be calculated.

Member of the public voiced Jconcerns with the proposed RPTT.

Kerry Haywood, Moffett Park Business Group, communicated their concerns with the proposed RPTT.

Public Hearing closed at 11:26 p.m.

MOTION: Councilmember Mehlinger moved and Mayor Klein seconded the motion to approve Alternative 1: Provide direction to staff on the parameters of a potential Real Property Transfer Tax measure to be publicly polled and approve Budget Modification No. 11 in the Amount of \$40,000 for polling consultant costs. With the following modifications:

- Add a polling question if a 30-year sunset clause is more favorable.
- Add a polling question if having annual adjustments to the cap would be more favorable than 5-year adjustments.
- Set a threshold of \$4 million to the real property tax.

FRIENDLY AMENDMENT: Councilmember Sell proposed a friendly amendment to add an additional follow up question to the polling asking "what if single family homes and duplexes be exempted from the \$4 million threshold." Mayor Klein and Councilmember Mehlinger accepted the friendly amendment.

The motion as amended carried with the following vote:

**Yes:** 6 - Mayor Klein  
Vice Mayor Din  
Councilmember Cisneros  
Councilmember Mehlinger  
Councilmember Srinivasan  
Councilmember Sell

**No:** 1 - Councilmember Melton

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

The motion carried with the following vote:

**Yes: 4 -** Mayor Klein  
Councilmember Cisneros  
Councilmember Srinivasan  
Councilmember Sell

**No: 3 -** Vice Mayor Din  
Councilmember Melton  
Councilmember Mehlinger

- 4**      [24-0018](#)      Discuss and Provide Direction Regarding Process, Scope of Review, and Timeline for Potential Amendments to the City Charter

Councilmember Din moved and Councilmember Melton seconded the motion to adjourn the meeting.

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**

Agenda item not heard by Council.

**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**

- [24-0080](#) Tentative Council Meeting Agenda Calendar
- [24-0081](#) Board/Commission Meeting Minutes
- [24-0082](#) Information/Action Items
- [24-0153](#) Annual Review of New and Pending Laws (Information Only)
- [24-0140](#) Council Advocacy Letters

**ADJOURNMENT**

Mayor Klein adjourned the meeting at 12:05 a.m.