



# City of Sunnyvale

## Meeting Minutes - Draft City Council

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Tuesday, June 25, 2019

5:00 PM

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

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**Special Meeting: Closed Session - 5:00 PM | Special Meeting: Study Session - 6:00 PM |  
Regular Meeting - 7 PM**

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

Vice Mayor Melton announced the items for Closed Session and invited any members of the public to make public comments before the meeting.

#### **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:** 6 - Mayor Larry Klein  
Vice Mayor Russ Melton  
Councilmember Gustav Larsson  
Councilmember Glenn Hendricks  
Councilmember Nancy Smith  
Councilmember Mason Fong

**Absent:** 1 - Councilmember Michael S. Goldman

#### **3 Public Comment**

None.

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

- 1      [19-0324](#)      Closed Session held pursuant to California Government Code Section 54957.6:  
CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: Council Compensation Subcommittee Members Glenn Hendricks, Larry Klein, Russ Melton  
Unrepresented employee: City Attorney

- 2**      [19-0274](#)      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 the meeting at 5:58 p.m.

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

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

Vice Mayor Melton called the meeting to order at 6:03 p.m.

### **2 Roll Call**

**Present:** 6 - Mayor Larry Klein  
Vice Mayor Russ Melton  
Councilmember Gustav Larsson  
Councilmember Glenn Hendricks  
Councilmember Nancy Smith  
Councilmember Mason Fong  
**Absent:** 1 - Councilmember Michael S. Goldman

### **4 Study Session**

[19-0074](#)      Success Criteria for Determining Council District Boundaries  
Deputy City Manager Jaqui Guzman and Marguerite Leoni, Senior Partner, Nielsen, Merksamer, Parrinello, Gross, & Leoni provided the staff report and presentation.

### **3 Public Comment**

Public Comment opened at 6:55 p.m.

Serge Rudaz requested Council consider public comments when selecting election district maps.

Linda Davis spoke regarding maximizing engagement potential when determining district election sequencing.

Steve Scandalis suggested 7-member district voting system district maps along with the Council directed 6+1-member district voting system district maps be included during community outreach.

Martin Pyne voiced support for physical boundaries as district boundaries so long as such boundaries could be adjusted as populations shifts occur.

Prakash Giri spoke in support keeping school districts within election districts.

Public Comment closed at 7:01 p.m.

### **5 Adjourn Special Meeting**

Vice Mayor Melton adjourned the meeting at 7:02 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**

#### **ROLL CALL**

**Present:** 6 - Mayor Larry Klein  
Vice Mayor Russ Melton  
Councilmember Gustav Larsson  
Councilmember Glenn Hendricks  
Councilmember Nancy Smith  
Councilmember Mason Fong  
**Absent:** 1 - Councilmember Michael S. Goldman

#### **CLOSED SESSION REPORT**

Vice Mayor Melton reported the Council met in Closed Session held pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS Agency designated representatives: Council Compensation Subcommittee Members Glenn Hendricks, Larry Klein, Russ Melton Unrepresented employee: City Attorney; nothing to report.

Vice Mayor Melton reported the 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; Kent Steffens, City Manager Employee organization: Sunnyvale Managers Association (SMA) and Sunnyvale Employees Association (SEA); nothing to report.

### **ORAL COMMUNICATIONS**

Elizabeth DeOrnellas spoke in support of Unite Summit and shared concerns regarding the termination of three Summit Denali teachers.

Keith Brown shared support of unionizing Summit Public Schools teachers through Unite Summit. He reported a Change.org petition challenging the termination of three teachers had been started.

Delia Ayala announced an upcoming "Rapid Response" training being held by Sunnyvale Community Services to help monitor and document Immigration and Customs Enforcement (ICE) operations.

Eloisa Herrera provided additional details regarding the Rapid Response training.

Rhoda Fry reported various pollution statistics relating to the Lehigh Hanson cement plant.

Eugene Johnson, Treasurer, Anderson Place Homeowners Association questioned the high cost of a recent invoice for water service the Association received.

Maria Pan requested a response from Council regarding whether her attendance for the remainder of the meeting was necessary.

### **CONSENT CALENDAR**

MOTION: Vice Mayor Melton moved and Councilmember Larsson seconded the motion to approve Items 1.A through 1.K.

The motion carried with the following vote:

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

**No: 0**

**Absent:** 1 - Councilmember Goldman

**1.A**     [19-0240](#)     Approve City Council Meeting Minutes of June 18, 2019

Approve the City Council Meeting Minutes of June 18, 2019 as submitted.

**1.B**     [19-0335](#)     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**     [19-0545](#)     Award of Contract to Synagro-WWT, Inc. for Bio-solid Disposal  
and Digester Cleaning (F18-274)

Take the following actions:

- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$12,500,000 to Synagro WWT, Inc.;
- Authorize the City Manager to execute the contract when all necessary conditions have been met;
- Authorize the City Manager to renew the Agreement for two (2) additional one year periods, not to exceed budgeted amounts; and
- Make a determination that the proposal received from Denali Water Solutions, LLC is non responsive and reject the bid.

**1.D**     [19-0552](#)     Award a Contract to Kimley Horn for Design Services for Mary  
at Evelyn Caltrain Grade Crossing and Traffic Signal  
Improvements (F19-132)

Take the following actions:

- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$97,594 to Kimley Horn and Associates, Inc.;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Approve a 10% contingency in the amount of \$9,759.

**1.E**     [19-0558](#)     Modify a Purchase Order with Priority 1 Public Safety  
Equipment for Installation of Accessories on Public Safety  
Vehicles (F19-190)

Authorize the City Manager to amend the existing purchase order with Priority 1 Public Safety Equipment for installation services by increasing the not to exceed amount by \$30,000 for a new total not to exceed amount of \$125,000

- 1.F**      [19-0579](#)      Authorize the Issuance of a Blanket Purchase Order to Polydyne, Inc. for Polyacrylamide Polymer (F19-097)

Take the following actions:

- Authorize the issuance of a three year blanket purchase order to Polydyne, Inc. for the purchase of polyacrylamide polymer in the amount not to exceed \$2,250,000, in substantially the same form as Attachment 2 to the report and reject the bid of Marubeni Specialty Chemicals Inc. as non responsive; and
- Authorize the City Manager authority to modify the purchase order amount within budgeted funding.

- 1.G**      [19-0654](#)      Approve and Authorize the City Manager to Execute an Amended and Restated Agreement Between the City of Sunnyvale and the Friends of the Sunnyvale Public Library.

Approve and authorize the City Manager to execute and Amended and Restated Agreement Between the City of Sunnyvale and the Friends of the Sunnyvale Public Library as modified.

- 1.H**      [19-0667](#)      Adopt a Resolution Amending the City's Salary Resolution and the Schedule of Pay to Increase Salaries for Pay Plan Category C (Public Safety Officers Association) and Pay Plan Category M (Public Safety Managers Association)

Adopt a Resolution Amending the City's Salary Resolution and the Schedule of Pay to Increase Salaries for Pay Plan Category C (Public Safety Officers Association) and Pay Plan Category M (Public Safety Managers Association).

- 1.I**      [19-0653](#)      Adopt a Resolution Finding that the NOVAworks Foundation Supports a Public Purpose and Authorizing the City Manager to Execute a Cooperation and Administration Agreement for NOVAworks Foundation to be a City-Supporting Organization

Adopt a resolution finding that the NOVAworks Foundation supports a public purpose and authorizing the City Manager to execute a Cooperation and Administration Agreement for NOVAworks Foundation to be a city supporting organization.

- 1.J**      [19-0391](#)      Approve Budget Modification No. 27 to Appropriate \$22,242.50 of Friends of the Sunnyvale Public Library Grant Funds for Purchase of a Charger Dispensing Kiosk.

Approve Budget Modification No. 27 to appropriate Friends of the Sunnyvale Public

Library grant funds in the amount of \$22,242.50 to a new project, Library Charger Kiosk.

**1.K**      [19-0696](#)      Ratify Councilmember Hendricks' Re-appointment to the Measure A (2016 Housing Bond) Independent Citizens Oversight (ICO) Committee as the Cities Association of Santa Clara County (CASCC) Representative

Ratify Councilmember Hendricks' re-appointment to the ICO Committee as the CASCC Representative.

**ADJOURN TO SPECIAL JOINT MEETING OF THE CITY COUNCIL AND SUNNYVALE FINANCING AUTHORITY**

**CALL TO ORDER**

Authority Chair Klein called the Sunnyvale Financing Authority Meeting to order at 7:23 p.m.

Authority Chair Klein stated, pursuant to Government Code Section 54952.3, the members of the City Council and the Sunnyvale Financing Authority will receive no additional compensation, other than their City councilmember salary, for sitting as a board member of the Sunnyvale Financing Authority.

**ROLL CALL**

Present: 6

Authority Chair / Mayor	Larry Klein
Authority Vice Chair / Vice Mayor	Russ Melton
Authority Member / Councilmember	Gustav Larsson
Authority Member / Councilmember	Glenn Hendricks
Authority Member / Councilmember	Nancy Smith
Authority Member / Councilmember	Mason Fong

Absent: 1

Authority Member / Councilmember      Michael S. Goldman

**CONSENT CALENDAR**

MOTION: Authority Vice Chair Melton moved and Authority Member Larsson seconded the motion to approve Item 2.A.

The motion carried by the following vote:

Yes: 6

Authority Chair Klein  
Authority Vice Chair Melton  
Authority Member Larsson  
Authority Member Hendricks  
Authority Member Smith  
Authority Member Fong

No: 0

Absent: 1

Authority Member / Councilmember Goldman

**2.A**      [19-0609](#)      Approve Joint City Council and Sunnyvale Financing Authority Meeting Minutes of June 11, 2019

### **PUBLIC HEARINGS/GENERAL BUSINESS**

**3**            [19-0358](#)      City Council Adoption of the FY 2019/20 Budget, Fee Schedule, and Appropriations Limit and Sunnyvale Financing Authority Adoption of the FY 2019/20 Budget

Finance Director Tim Kirby provided the staff report.

Public Hearing opened at 7:27 p.m.

No speakers.

Public Hearing closed at 7:27 p.m.

Sunnyvale Financing Authority:

MOTION: Authority Vice Chair Melton moved and Authority Member Hendricks seconded to the motion approve Alternative 2: Adopt the FY 2019/20 Budget Resolution (Sunnyvale Financing Authority) presented as Attachment 4 to the report.

The motion carried by the following vote:

Yes: 6

Authority Chair Klein  
Authority Vice Chair Melton  
Authority Member Larsson  
Authority Member Hendricks  
Authority Member Smith  
Authority Member Mson Fong

No: 0

Absent: 1

Authority Member Goldman

City Council:

MOTION: Vice Mayor Melton moved and Councilmember Hendricks seconded the motion to approve Alternative 1: Adopt the resolutions presented as Attachment 1 (including Exhibit A), Attachment 2 (including Exhibits A through D), and Attachment 3 (including Exhibit A) to the report that provide for the adoption of the FY 2019/20 Fee Schedule, Budget, and Appropriations Limit.

The motion carried by the following vote:

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

**No: 0**

**Absent: 1 -** Councilmember Goldman

**ADJOURN SPECIAL MEETING**

Authority Chair Klein adjourned the Sunnyvale Financing Authority meeting at 7:31 p.m.

**RECONVENE TO CITY COUNCIL MEETING**

Mayor Klein reconvened the City Council meeting at 7:31 p.m.

**PUBLIC HEARINGS/GENERAL BUSINESS**

- 4      [19-0595](#)      Review and Approve Neighborhood Grant Recommendations from the Community Event and Neighborhood Grant Distribution Subcommittee

Councilmember Fong presented the Community Event and Neighborhood Grant Distribution Subcommittee presentation.

Public Hearing opened at 7:34 p.m.

No speakers.

Public Hearing closed at 7:34 p.m.

MOTION: Vice Mayor Melton moved and Councilmember Larsson seconded the motion to Approve the Council Subcommittee recommendations for the FY 2019/20 Neighborhood Grants funding as detailed in the draft minutes of the May 14, 2019 Subcommittee meeting (Attachment 2) and Funding Worksheet (Attachment 3).

The motion carried with the following vote:

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

**No:** 0

**Absent:** 1 - Councilmember Goldman

- 5      [19-0596](#)      Review and Approve Community Events Grant Recommendations from the Community Event and Neighborhood Grant Distribution Subcommittee

Councilmember Fong presented the Community Event and Neighborhood Grant Distribution Subcommittee presentation.

Public Hearing opened at 7:38 p.m.

No speakers.

Public Hearing closed at 7:38 p.m.

MOTION: Vice Mayor Melton moved and Councilmember Smith seconded the motion to Approve the Council Subcommittee recommendations for the FY 2019/20 Community Event Grants funding as detailed in the draft minutes of the May 14, 2019 Subcommittee meeting (Attachment 2) and Funding Worksheet (Attachment 3).

The motion carried with the following vote:

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

**No:** 0

**Absent:** 1 - Councilmember Goldman

**6**      [19-0319](#)      FY 2019/20 General Fund Human Services Grant Funding Allocations

Community Development Department Director Trudi Ryan presented the staff report.

Public Hearing opened at 7:42 p.m.

Michele Schroeder, Senior Adults Legal Assistance (SALA) shared support for grant funding for SALA.

Jordan Dancer, Next Door Solutions to Domestic Violence voiced appreciation for City funding for Next Door Solutions.

Wanda Hail, Catholic Charities of Santa Clara County highlighted the services Catholic Charities of Santa Clara County provides through the Long-Term Care Ombudsman Program.

Public Hearing closed at 7:48 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Smith seconded the motion to Approve Alternative 1: Approve a total of \$135,000 in General Funds for the 10 human services grants listed in Attachment 1 of the report under "Staff

Recommendation."

The motion carried with the following vote:

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

**No:** 0

**Absent:** 1 - Councilmember Goldman

- 7      [19-0327](#)      Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Assessment, and Levy and Collect an Annual Assessment for The Downtown Parking Maintenance District for Fiscal Year 2019/20

Public Works Director Chip Taylor presented the staff report and presentation.

Public Hearing opened at 7:50 p.m.

No speakers.

Public Hearing closed at 7:50 p.m.

MOTION: Councilmember Smith moved and Councilmember Hendricks seconded the motion to Approve Alternative 1: Adopt the resolution to approve the final Engineer's report, to confirm the assessment, and levy and collect an annual assessment for the Downtown Parking Maintenance District for FY 2019/20.

The motion carried with the following vote:

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

**No:** 0

**Absent:** 1 - Councilmember Goldman

- 8      [19-0376](#)      Proposed Utility Rate Increases for FY 2019/20 Rates for Water, Wastewater, and Solid Waste Utilities for Services Provided to Customers Within and Outside City Boundaries; Finding of CEQA Exemption Pursuant to Public Resource Code Section 21080(b)(8) and CEQA Guidelines Section 15273

Finance Director Tim Kirby presented the staff report and presentation.

Public Hearing opened at 8:09 p.m.

No speakers.

Public Hearing closed at 8:09 p.m.

MOTION: Councilmember Hendricks moved and Vice Mayor Melton seconded the motion to Approve Alternatives 1 and 2: 1) Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(8) and CEQA Guidelines Section 15273 because it approves rates and charges for the purposes of (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment or materials; (3) meeting financial reserve needs and requirements; and (4) obtaining funds for capital projects necessary to maintain current service levels; and 2) Adopt a resolution making no change to water, increasing wastewater, and decreasing solid waste rates for FY 2019/20.

The motion carried with the following vote:

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

**No:** 0

**Absent:** 1 - Councilmember Goldman

- 9      [19-0551](#)      Adopt a Resolution to Cause Charges for Non-Payment of Delinquent Utility Charges to be placed on the FY 2019/20 County of Santa Clara Property Tax Roll

Finance Director Tim Kirby presented the staff report.

Public Hearing opened at 8:18 p.m.

Angela Shen raised concerns regarding a property included in the Delinquent Utilities Charges list attached to the staff report.

Public Hearing closed at 8:21 p.m.

MOTION: Vice Mayor Melton moved and Councilmember Hendricks seconded the motion to Approve Alternative 1: Adopt a Resolution to Cause Charges for Non Payment of Delinquent Utility Charges to be placed on the FY 2019/20 County of Santa Clara Property Tax Roll, incorporating the updated property list (Exhibit A to the Resolution) provided at the meeting.

The motion carried with the following vote:

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

**No:** 0

**Absent:** 1 - Councilmember Goldman

- 10**      [19-0625](#)      First Amendment to Agreement between the City of Sunnyvale and Google to Reimburse the City for the Planning, Development and Engineering Services Related to Google and City Transportation Projects for four additional years

Public Works Director Chip Taylor presented the staff report.

Public Hearing opened at 8:25 p.m.

No speakers.

Public Hearing closed at 8:25 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Larsson seconded the motion to Approve Authorize the City Manager to Execute the First Amendment to the Agreement between the City of Sunnyvale and Google to Reimburse the City for the Planning, Development and Engineering Services Related to Google and City Transportation Projects for four additional years.

The motion carried with the following vote:

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

**No:** 0

**Absent:** 1 - Councilmember Goldman

**COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

None.

**NON-AGENDA ITEMS & COMMENTS**

**-Council**

None.

**-City Manager**

None.

**INFORMATION ONLY REPORTS/ITEMS**

- [19-0114](#) Information/Action Items
- [19-0652](#) Study Session Summary of March 26, 2019 - Climate Action Plan 2.0
- [19-0148](#) Tentative Council Meeting Agenda Calendar

**ADJOURNMENT**

Mayor Klein adjourned the meeting at 8:27 p.m.