



City of Sunnyvale

Meeting Minutes City Council

Monday, November 22, 2021

5:00 PM

Telepresence Meeting: City Web Stream |
Comcast Channel 15 | AT&T Channel 99

Special Meeting: Public Hearing/General Business - 5 PM

5 P.M. SPECIAL COUNCIL MEETING

CALL TO ORDER

Pursuant to Government Code Subdivision 54953(e), the meeting was conducted telephonically; pursuant to state law, the City Council made the necessary findings by adopting Resolution No. 1089-21, reaffirmed on November 16, 2021.

Mayor Klein called the meeting to order at 5:01 p.m. via teleconference.

ROLL CALL

Present: 6 - Mayor Larry Klein
Vice Mayor Glenn Hendricks
Councilmember Gustav Larsson
Councilmember Russ Melton
Councilmember Alysa Cisneros
Councilmember Omar Din

Mayor Klein, Vice Mayor Hendricks and all Councilmembers attended via teleconference.

PUBLIC HEARINGS/GENERAL BUSINESS

[21-0937](#) Discussion Regarding Next Steps Related to Councilmember Mason Fong's Resignation and Direction Regarding the Date to Declare the Vacancy in City Council Seat No. 3

City Clerk David Carnahan provided the staff report and presentation.

Public Hearing opened at 5:34 p.m.

Mike Serrone communicated opposition to options requiring an election to fill the

vacancy and support for the rank choice voting system.

Stephen Meier shared support for the option to fill the vacancy by appointment and rank choice voting. He voiced concerns regarding adding requirements or criteria to be used during the selection process.

Scott Duncan urged Council to approve Option 3 (fill vacancy by appointment) and to not appoint a candidate residing in a council district being voted on during the November 8, 2022 Election (Districts 1, 3 or 5).

Steve Scandalis communicated support for avoiding options that include an election, appointing a candidate that may benefit as an incumbent or a candidate who serves as a political operative.

Richard Mehlinger shared support for excluding candidates that reside in council districts being voted on during the November 8, 2022 Election.

Valérie Suarès voiced opposition to options requiring an election and urged Council to approve the appointment process to fill the vacancy.

Public Hearing closed at 5:47 p.m.

MOTION: Vice Mayor Hendricks moved and Councilmember Melton seconded the motion to approve Alternative 1: Direct staff to return on December 14 to declare the At-Large Seat 3 vacant.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Hendricks
Councilmember Larsson
Councilmember Melton
Councilmember Cisneros
Councilmember Din

No: 0

MOTION: Councilmember Larsson moved and Vice Mayor Hendricks second the motion to direct staff to establish an appointment timeline that leads to an appointment on February 3 or later.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Hendricks
Councilmember Larsson
Councilmember Melton
Councilmember Cisneros
Councilmember Din

No: 0

MOTION: Councilmember Melton moved and Mayor Klein seconded the motion to direct staff to return to Council as soon as possible with one of the following two amendments to Sunnyvale Municipal Code 2.30.030:

- Increase the candidate cut off in 2.30.030(f)(2) to a number larger than five at Council's direction; or
- Eliminate 2.30.030(f)(2) in its entirety with revisions to 2.30.030(f)(1) and/or 2.30.030(f)(3) to accomplish the elimination of (f)(2).

The motion failed with the following vote:

Yes: 1 - Councilmember Melton

No: 5 - Mayor Klein
Vice Mayor Hendricks
Councilmember Larsson
Councilmember Cisneros
Councilmember Din

ADJOURN SPECIAL MEETING

Mayor Klein adjourned the meeting at 6:58 p.m.