



City of Sunnyvale

Meeting Minutes - Draft City Council

Tuesday, September 24, 2024

6:00 PM

Online and Council Chambers, City Hall,
456 W. Olive Ave., Sunnyvale, CA 94086

Special Meeting: Study Session - 6 PM | Regular Meeting - 7 PM

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

Call to Order

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

Roll Call

Present: 6 - Mayor Larry Klein
Vice Mayor Murali Srinivasan
Councilmember Russ Melton
Councilmember Omar Din
Councilmember Richard Mehlinger
Councilmember Linda Sell

Absent: 1 - Councilmember Alysa Cisneros

Councilmember Cisneros' absence is excused.

Study Session

A [24-0795](#) Report on the Comprehensive Update of the 2013 Feasibility Study for Recycled Water Expansion (ESD 22-01)

Environmental Services Director Ramana Chinnakotla, Water & Sewer Systems Division Manager Mansour Nasser, and Senior Environmental Engineer Winola Cheong provided the staff report and presentation.

Public Comment opened at 7:00 p.m.

Cortney Jansen shared their support for increasing the utilization of recycled water in Sunnyvale.

Public Comment closed at 7:02 p.m.

Adjourn Special Meeting

Vice Mayor Srinivasan adjourned the meeting at 7:02 p.m.

7 P.M. COUNCIL MEETING

CALL TO ORDER

Mayor Klein called the meeting to order at 7:14 p.m.

SALUTE TO THE FLAG

Mayor Klein led the salute to the United States flag.

ROLL CALL

- Present:** 6 - Mayor Larry Klein
Vice Mayor Murali Srinivasan
Councilmember Russ Melton
Councilmember Omar Din
Councilmember Richard Mehlinger
Councilmember Linda Sell
- Absent:** 1 - Councilmember Alysa Cisneros

Councilmember Cisneros' absence is excused.

SPECIAL ORDER OF THE DAY

B [24-0348](#) Hindu American Heritage Month

Mayor Klein spoke in honor of Hindu American Heritage Month.

Narendra Pathak spoke in recognition of Hindu American Heritage Month.

C [24-0351](#) Indigenous Peoples' Day

Mayor Klein spoke in honor of Indigenous Peoples' Day.

Julie Dominguez, Muwékma Ohlone Tribe, spoke in recognition of Indigenous Peoples' Day.

D [24-0347](#) Active Aging Week

Mayor Klein spoke in honor of Active Aging Week.

E [24-0349](#) Arts and Humanities Month

Mayor Klein spoke in honor of Arts and Humanities Month.

Superintendent of Recreation Services Damon Sparacino spoke in recognition of Arts and Humanities Month.

ORAL COMMUNICATIONS

Councilmember Din announced the opening of the Community Event and Neighborhood Grant Cycle and the upcoming Technology Business Expo.

Oded Shekel shared their concerns regarding remarks made by Councilmember Din at the September 10, 2024, City Council meeting.

Paul Horsagen, United Sovereign Americans, shared concerns with the current voter registration laws and practices.

Jean R., United Sovereign Americans, read a proposed resolution.

Joanie Murphy, United Sovereign Americans, continued reading the proposed resolution.

Josephine, United Sovereign Americans, continued reading the proposed resolution.

Alicia, United Sovereign Americans, provided concluding remarks of the United Sovereign Americans resolution presentation.

Sue Bozzini, United Sovereign Americans, shared their concerns with the current voter registration laws and practices.

Brian Bertacini, United Sovereign Americans, voiced their concerns with the current voter registration laws and practices.

Dennis Jamison, Election Integrity Project California, communicated their concerns with the current voter registration laws and practices.

Martin Pyne shared their concerns and disagreement with the previous speaker's

proposed resolution and election positions.

Jessica spoke to their proposal to demilitarize the City of Sunnyvale.

Cortney Jansen voiced their confidence in the voting and election systems in Santa Clara County.

Gail Rubino shared their confidence in the voting and election systems in Santa Clara County.

Stephen Meier communicated their confidence in the voting and election systems in Santa Clara County.

CONSENT CALENDAR

Public Comment opened at 8:22 p.m.

No speakers.

Public Comment closed at 8:22 p.m.

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

The motion carried with the following vote:

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

No: 0

Absent: 1 - Councilmember Cisneros

1.A [24-0873](#) Approve City Council Meeting Minutes of August 27, 2024

Approve the City Council Meeting Minutes of August 27, 2024 as submitted.

1.B [24-0447](#) 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** [24-0939](#) Adopt Resolutions Amending the City's Contribution for CalPERS Medical Insurance for Management, Sunnyvale Employees' Association/International Federation of Professional and Technical Engineers Local 21 (SEA/IFPTE Local 21), Confidential, and Service Employees International Union (SEIU) Employees and Annuitants (Retirees)

Adopt two resolutions: (1) Setting the employer's contribution under the Public Employees' Medical and Hospital Care Act (PEMHCA) for 2025, and (2) Amending the City's Salary Resolution to modify the City's contribution for medical insurance for Management, SEA/IFPTE Local 21, Confidential, and SEIU Employees and Annuitants (Retirees).

- 1.D** [24-0866](#) Award a Two-Year Purchase Agreement to e-Builder, Inc. in the Amount of \$420,000 for Unlimited Authorized User Licenses for e-Builder Enterprise Software (F25-019)

Take the following actions:

- Award a two-year purchase agreement in the not-to-exceed contract amount of \$420,000;
- Make a finding of a categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302(c);
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Authorize a City Manager to increase the amount of the agreement up to the budgeted amount and if pricing remains acceptable to the City.

- 1.E** [24-0946](#) Award of Contract to Able Construction Group, Inc. in the Amount of \$600,000 for Sewer Line On-Call Maintenance and Repair Services (F24-257)

Take the following actions:

- Award a three-year contract to Able Construction Group, Inc. for sewer line on-call maintenance and repair services in a not-to-exceed contract amount of \$600,000;
- Authorize the City Manager to execute the contract when all necessary conditions have been met;
- Authorize the City Manager to amend the not-to-exceed amount, subject to available budget; and
- Authorize the City Manager to renew the contract for two (2) additional one-year periods if pricing and service remain acceptable to the City.

- 1.F** [24-0960](#) Approve a Request from Sunnyvale Community Services for

\$500,000 to Continue Operating the Sunnyvale Tenant Based Rental Assistance Program for Fiscal Years 2024/25 and 2025/26 and Approve Budget Modification No. 7

Approve a request from Sunnyvale Community Services for \$500,000 to continue operating the Sunnyvale Tenant Based Rental Assistance Program for Fiscal Years 2024/25 and 2025/26 and approve Budget Modification No. 7.

1.G [24-0256](#) Approve a Take No City Position on Proposed League of California Cities' 2024 Annual Conference Resolution

Approve a Take No Position for the proposed Resolution No. 1 (Fair and Equal Treatment of All Governmental Officials at All Levels) and authorize the City's voting delegate/alternates to cast votes consistent with the City Council's adopted position.

1.H [24-0991](#) City of Sunnyvale 2024 Conflict of Interest Code Biennial Notice

Receive the 2024 Local Agency Notice and direct the City Clerk to return to Council within 90 days with a proposed resolution to amend the City's Conflict of Interest Code.

City Council took a recess at 8:24 p.m. and returned at 8:32 p.m. with Mayor Klein, Vice Mayor Srinivasan, and Councilmembers Melton, Din, Mehlinger and Sell present.

PUBLIC HEARINGS/GENERAL BUSINESS

2 [24-0257](#) Adopt Positions on State and Local Ballot Measures for the November 5, 2024 Election

Senior Management Analyst Michelle Zahraie provided the staff report.

Public Hearing opened at 8:39 p.m.

Isabel Jubes-Flamerich spoke in support for Council adopting a support position on Measure Y - Sunnyvale School District.

Bridget Watson shared their support for Council adopting a support position on Measure Y.

Martin Pyne, Political Director, Democratic Club of Sunnyvale, shared the

organizations positions of support for Measures E - Sunnyvale Main Library General Obligation Bonds and Y and speaking on their own behalf, shared their support for Proposition 3 - Constitutional Right to Marriage.

Peggy Brewster voiced their support for Council adopting a support position on Measure Y.

Cortney Jansen communicated their support for Council adopting a support position on Measure Y.

Public Hearing closed at 8:47 p.m.

MOTION: Councilmember Melton moved and Councilmember Mehlinger seconded the motion to approve Alternative 1: Adopt the following staff-recommended positions on the ballot measures deemed City business except for Proposition 36 and Measure F:

- SUPPORT - Proposition 2 - Authorizes Bonds for Public School and Community College Facilities.
- SUPPORT - Proposition 4 - Authorizes Bonds for Safe Drinking Water, Wildfire Prevention, and Protecting Communities and Natural Lands from Climate Risks.
- SUPPORT - Proposition 5 - Allows Local Bonds for Affordable Housing and Public Infrastructure with 55% Voter Approval.
- SUPPORT - Measure E - Sunnyvale Main Library General Obligation Bonds.
- SUPPORT - Measure Y - Sunnyvale School District. Special Tax for Educational Purposes.
- SUPPORT - Measure Z - Cupertino Union School District. School Bond Measure.

The motion carried with the following vote:

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

No: 0

Absent: 1 - Councilmember Cisneros

MOTION: Councilmember Mehlinger moved and Mayor Klein seconded the motion to adopt a SUPPORT position on Proposition 3 - Constitutional Right to Marriage.

The motion carried with the following vote:

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

No: 0

Absent: 1 - Councilmember Cisneros

MOTION: Councilmember Melton moved and Mayor Klein seconded the motion to adopt a NO position on Proposition 33 - Expands Local Governments' Authority to Enact Rent Control on Residential Property.

FRIENDLY AMENDMENT: Councilmember Mehlinger offered a friendly amendment to add a SUPPORT position on Proposition 34 - Restricts Spending of Prescription Drug Revenues by Certain Health Care Providers. Councilmember Melton declined to accept the friendly amendment.

The motion carried with the following vote:

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

No: 0

Absent: 1 - Councilmember Cisneros

MOTION: Councilmember Mehlinger moved and Councilmember Din seconded the motion to adopt a SUPPORT position on Proposition 34 - Restricts Spending of

Prescription Drug Revenues by Certain Health Care Providers.

The motion failed with the following vote:

Yes: 3 - Vice Mayor Srinivasan
Councilmember Din
Councilmember Mehlinger

No: 3 - Mayor Klein
Councilmember Melton
Councilmember Sell

Absent: 1 - Councilmember Cisneros

MOTION: Councilmember Melton moved and Mayor Klein seconded the motion to adopt a SUPPORT position on Proposition 32 - Provides Permanent Funding for Medi-Cal Health Care Services.

The motion carried with the following vote:

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

No: 0

Absent: 1 - Councilmember Cisneros

MOTION: Councilmember Mehlinger moved and Mayor Klein seconded the motion to adopt a SUPPORT position on Measure F - City of Sunnyvale City Charter Amendments.

The motion carried with the following vote:

Yes: 5 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Din
Councilmember Mehlinger
Councilmember Sell

No: 0

Absent: 1 - Councilmember Cisneros

Abstain: 1 - Councilmember Melton

MOTION: Councilmember Melton moved and Mayor Klein seconded the motion to adopt a SUPPORT position on Proposition 36 - Allows Felony Charges and Increases Sentences for Certain Drug and Theft Crimes. Initiative Statute.

The motion carried with the following vote:

Yes: 4 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Sell

No: 2 - Councilmember Din
Councilmember Mehlinger

Absent: 1 - Councilmember Cisneros

City Council took a recess at 9:43 p.m. and returned at 9:50 p.m. with Mayor Klein, Vice Mayor Srinivasan, and Councilmembers Melton, Din, Mehlinger and Sell present.

3 [24-0644](#) Consider Direction to Staff and Updates to Council Policy 7.2.19 (Boards and Commissions) as Recommended by the Council Subcommittee on Boards and Commissions

Assistant City Manager Sarah Johnson-Rios provided the staff report and presentation.

Public Hearing opened at 10:18 p.m.

Valerie shared their support for adding a cultural aspect to the Arts Commission's scope.

Public Hearing closed at 10:19 p.m.

MOTION: Councilmember Mehlinger moved and Councilmember Din seconded the motion to approve Alternative 1: Direct the Arts Commission to identify work plan items related to dynamic, interactive and literary art forms for 2025.

The motion carried with the following vote:

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

No: 0

Absent: 1 - Councilmember Cisneros

MOTION: Councilmember Mehlinger moved and Councilmember Klein seconded the motion to approve Alternative 2: Direct staff to return with required policy documentation to increase the size of the Human Relations Commission from five to seven members in time for the May 2025 recruitment cycle.

The motion carried with the following vote:

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

No: 0

Absent: 1 - Councilmember Cisneros

MOTION: Councilmember Mehlinger moved and Councilmember Sell seconded the

motion to direct staff to return with policy language to allow Board/Commission Members to reply to emails from the public with the following parameters:

1. City email addresses will not be issued to Board/Commission Members;
2. Staff responses to emails from the public should be updated to communicate that any replies from Board/Commission Members are on the Member's own behalf and do not represent the City nor the Board/Commission; and
3. Require Board/Commission Members to Carbon Copy (CC) their respective Board/Commission's AnswerPoint when replying to emails from the public received by the AnswerPoint.

FRIENDLY AMENDMENT: Councilmember Sell offered a friendly amendment to include in staff responses that Board/Commission Members are volunteers and may not respond to messages. Councilmember Mehlinger accepted the friendly amendment.

The motion as amended failed with the following vote:

Yes: 1 - Councilmember Mehlinger

No: 5 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Din
Councilmember Sell

Absent: 1 - Councilmember Cisneros

MOTION: Councilmember Mehlinger moved and Councilmember Melton seconded the motion to direct staff to return with policy language to allow Board/Commission Members to respond to requests to meet with members of the public received by the respective Board/Commission AnswerPoint.

FRIENDLY AMENDMENT: Vice Mayor Srinivasan offered a friendly amendment to limit the policy language to the Planning Commission. Councilmember Mehlinger declined to accept the friendly amendment.

The motion carried with the following vote:

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

No: 0

Absent: 1 - Councilmember Cisneros

MOTION: Mayor Klein moved and Councilmember Mehlinger seconded the motion to direct staff to schedule an annual review by the City Council of the Board/Commission Application questions each spring.

FRIENDLY AMENDMENT: Councilmember Mehlinger offered a friendly amendment to replace “each spring” with “in the first quarter.” Mayor Klein accepted the friendly amendment.

FRIENDLY AMENDMENT: Councilmember Din offered a friendly amendment to remove “in the first quarter” from the motion. Mayor Klein declined to accept the friendly amendment.

FRIENDLY AMENDMENT: Councilmember Mehlinger offered a friendly amendment to schedule review of the Supplemental Questions for each Board/Commission with the respective Board/Commission. Mayor Klein declined to accept the friendly amendment.

FRIENDLY AMENDMENT: Councilmember Mehlinger offered a friendly amendment to include the Board/Commission Application in the annual Joint Study Session between the City Council and Board/Commission Chairs and Vice Chairs. Mayor Klein accepted the friendly amendment.

MOTION AS AMENDED RESTATED: Mayor Klein moved and Councilmember Mehlinger seconded the motion to direct staff to schedule annual review of the City Council of the Board/Commission Application questions in the first quarter and to include the Board/Commission Application in the annual Joint Study Session between the City Council and Board/Commission Chairs and Vice Chairs.

The motion as amended carried with the following vote:

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

No: 0

Absent: 1 - Councilmember Cisneros

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Mehlinger reported on a recent Bay Area Water Supply & Conservation Agency (BAWSCA) meeting.

Councilmember Din reported on a public safety incident that occurred at a Valley Transportation Authority (VTA) work site.

NON-AGENDA ITEMS & COMMENTS

-Council

Councilmember Din spoke to their comments made at the September 10, 2024 City Council meeting and to their remarks made earlier in this meeting.

Councilmember Melton spoke to the comments made by Councilmember Din at the September 10, 2024 City Council meeting and to the dialogue with the public regarding those comments during Oral Communications earlier in this meeting.

Vice Mayor Srinivasan spoke to the comments made by Councilmember Din at the September 10, 2024 City Council meeting and to their desire to have Council discussions focused on Sunnyvale issues.

Councilmember Sell spoke to the comments made by Councilmember Din at the September 10, 2024, City Council meeting.

Councilmember Mehlinger spoke to the comments made by Councilmember Din at the September 10, 2024 City Council meeting and to the dialogue with the public regarding those comments during Oral Communications earlier in this meeting.

Mayor Klein spoke to the comments made by Councilmember Din at the September 10, 2024 City Council meeting.

Councilmember Mehlinger shared the recent Bisexuality Day and Bisexual Awareness Week.

Mayor Klein spoke to the successful Sunnyvale State of the City event this past weekend.

-City Manager

None.

INFORMATION ONLY REPORTS/ITEMS

- [24-0928](#) Tentative Council Meeting Agenda Calendar
- [24-0929](#) Board/Commission Meeting Minutes
- [24-0930](#) Information/Action Items
- [24-0995](#) Council Advocacy Letters

ADJOURNMENT

Mayor Klein adjourned the meeting at 11:55 p.m.