



# City of Sunnyvale

## Meeting Minutes - Draft City Council

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Tuesday, October 26, 2021

5:30 PM

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

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**Special Meeting: Closed Session - 5:30 PM | Special Meeting: Study Session - 6 PM |  
Regular Meeting - 7 PM**

### **5:30 P.M. SPECIAL COUNCIL MEETING (Closed Session)**

#### **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 on October 26, 2021.

Mayor Klein called the meeting to order at 5:30 p.m. via teleconference.

#### **Roll Call**

**Present:** 7 - Mayor Larry Klein  
Vice Mayor Glenn Hendricks  
Councilmember Gustav Larsson  
Councilmember Russ Melton  
Councilmember Mason Fong  
Councilmember Alysa Cisneros  
Councilmember Omar Din

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

#### **Public Comment**

Public Comment opened at 5:32 p.m.  
No speakers.  
Public Comment closed at 5:32 p.m.

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

**A**      [21-0613](#)      CONFERENCE WITH LEGAL COUNSEL-PENDING  
LITIGATION

Closed Session held pursuant to California Government Code Section 54956.9(d)(1).

Name of case: Charles Shah v. City of Sunnyvale, Santa Clara County Superior Court, Case No. 20CV362725

### **Adjourn Special Meeting**

Mayor Klein adjourned the meeting at 5:50 p.m.

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

#### **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 on October 26, 2021.

Mayor Klein called the meeting to order at 6:00 p.m. via teleconference.

#### **Roll Call**

**Present:** 7 - Mayor Larry Klein  
Vice Mayor Glenn Hendricks  
Councilmember Gustav Larsson  
Councilmember Russ Melton  
Councilmember Mason Fong  
Councilmember Alysa Cisneros  
Councilmember Omar Din

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

#### **Study Session**

**B**      [21-0938](#)      Consider the Creation of a Formal Process for City Council Colleague Memorandums (Study Issue)

City Clerk David Carnahan provided the staff report and presentation.

Public Comment opened at 6:52 p.m.

Mike Serrone communicated support for the creation of a process for colleague memorandums.

Public Comment closed at 6:55 p.m.

### **Adjourn Special Meeting**

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

### **7 P.M. 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 on October 26, 2021.

Mayor Klein called the meeting to order at 7:00 p.m. via teleconference.

#### **ROLL CALL**

**Present:** 7 - Mayor Larry Klein  
Vice Mayor Glenn Hendricks  
Councilmember Gustav Larsson  
Councilmember Russ Melton  
Councilmember Mason Fong  
Councilmember Alysa Cisneros  
Councilmember Omar Din

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

#### **CLOSED SESSION REPORT**

Vice Mayor Hendricks reported that Council met in Closed Session held pursuant to California Government Code Section 54956.9(d)(1): CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION Name of case: Charles Shah v. City of Sunnyvale, Santa Clara County Superior Court, Case No. 20CV362725; nothing to report

#### **SPECIAL ORDER OF THE DAY**

**C**      [21-0438](#)      Department of Public Safety Special Awards

The Department of Public Safety presented the 2020-21 Special Awards and Recognition to Public Safety staff.

## **ORAL COMMUNICATIONS**

Councilmember Din announced details of the current recruitment for various Board and Commissions and that applications are being accepted for The Great Box Cover-up utility box public art project.

Mayor Klein announced that a Santa Clara City Council Study Session related to Project HomeKey and potential project sites is scheduled for November 9, 2021.

Lizzie Li shared opposition to the Project HomeKey sites along Sunnyvale borders.

Jamie communicated opposition to the Project HomeKey sites bordering Sunnyvale.

Megan Roy voiced concerns with the lack of transparency related to the Project HomeKey process and requested a public hearing on the projects be held.

Kimberly shared opposition to the HomeKey housing sites bordering Sunnyvale and concerns with the lack of transparency related to the projects.

Abby Wen communicated opposition to the Project HomeKey sites bordering Sunnyvale and Mountain View. She requested an informational meeting be scheduled prior to November 9 meeting.

Mayor Klein announced that the November 9 meeting is being held by Santa Clara City Council and that outreach meetings related to the Mountain View Project HomeKey site have been held by the Santa Clara County Board of Supervisors.

Duanya Tu voiced concerns with the proposed housing sites that border Sunnyvale.

Mel Foody spoke towards the lack of outreach efforts to neighborhoods near the proposed housing sites and requested Sunnyvale City Council collaborate with residents and neighboring local agencies to find solutions that benefit all individuals.

Tata shared opposition to the Santa Clara County Project HomeKey sites that border Sunnyvale and requested Council stop the projects.

Grace communicated opposition to the Project HomeKey sites bordering Sunnyvale and requested a town hall meeting related to the projects be held.

Pat C. shared statistics related to the Milpitas Project HomeKey site and spoke towards the lack of long-term funding for the projects. He urged the projects be stopped.

Tracie Huang voiced concerns with the proposed housing sites being located in high-density residential neighborhoods.

Henry Luo communicated opposition to the Project HomeKey sites bordering Sunnyvale and Santa Clara and concerns with the lack of transparency related to the project sites. He requested the City of Sunnyvale communicate project details via a town hall meeting.

Kelly shared opposition to the Project HomeKey sites bordering Sunnyvale and Santa Clara and concerns related to safety, lack of transparency and project locations.

Louie voiced concerns with the Project HomeKey site and its proximity to a new park location.

Danny communicated concerns related to the lack of transparency and communication about the projects.

Jiazhen Zheng spoke towards Council support to prohibit the projects.

Mandy shared concerns with the Project HomeKey sites and requested the projects be postponed until residents are provided adequate information.

Elaine voiced safety concerns with the Project HomeKey sites and opposition to the projects.

Ada Koi indicated a desire to speak but was unable to provide public comment due to technical difficulties.

Sam G. spoke towards Council's inaction related to concerns with Project HomeKey.

Yun communicated concerns with the sites and requested Council establish an action plan and timeline to address residents' concerns.

Brian K. spoke towards the lack of requirements associated with Assembly Bill No. 83 and inquired on the list of properties considered and selection criteria.

Jenny Yang voiced concerns with the housing site bordering Sunnyvale and Santa Clara, the selection of the site and proximity to a new park and possible impact to the Sunnyvale police.

Tony G. spoke towards elected officials proactively addressing residents' concerns rather than directing concerns to other jurisdictions.

SM spoke towards Sunnyvale leaders negotiating with neighboring cities and support for establishing programs that inform residents of neighboring city projects that may impact Sunnyvale residents.

Christine voiced support for having elected officials negotiate with neighboring cities on behalf of Sunnyvale residents and for public outreach meetings.

Richard indicated a desire to speak but was unable to provide public comment due to technical difficulties.

Rose spoke towards the recent wet weather and the impact to unhoused individuals. She shared support for activating a warming center in response to inclement weather.

Skyler communicated concerns with the Project HomeKey site that borders Sunnyvale and Santa Clara and with the lack of transparency and communication related to the project.

Yao shared concerns related to the Project HomeKey site specifically personal safety. He requested that a study be conducted to gauge the negative impacts to the community and to mitigate risk to residents.

Alyssa Weatherston voiced support for providing help and security to the unhoused population in the community and spoke towards equivocating unhoused individuals with criminals.

Hongliang Fei communicated concerns with safety and the lack of resident engagement related to the Project HomeKey site locations.

Shiyang Chen shared concerns related to the Project HomeKey sites bordering Sunnyvale and requested Council express residents' concerns with the project leaders.

Helen Gettinger spoke towards the recent wet weather and the failure of declaring it an emergency. She requested in the future City staff reach out to Santa Clara County's Emergency Operation Center about undeclared emergencies. She voiced support for assigning a dedicated staff member to address unhoused issues.

Bella communicated opposition to the Project HomeKey sites bordering Sunnyvale and concerns with the lack of transparency related to the projects.

Alyssa shared support for activating a warming center in response to the upcoming winter months. She spoke towards community concerns related to Project HomeKey and requested the well-being of unhoused individuals be considered when options are being discussed.

Richard voiced opposition to Project HomeKey due to the lack of transparency and requested Council express residents' concerns with the project leaders.

Ashley Zhang communicated concerns with the Project HomeKey site bordering Sunnyvale and Mountain View and requested a town hall meeting related to the project be held.

Lillian voiced support for scheduling a town hall meeting related to the Project HomeKey sites and elected officials, on behalf of Sunnyvale residents, request that neighboring cities postpone the projects.

Stephen Meier shared that Project HomeKey concerns should be addressed with the proper governing body such as Santa Clara County. He communicated support for providing services to the unhoused population.

Leticia spoke towards her experience as an unhoused individual and being equivocated as a criminal.

A member of the public encouraged others to show empathy towards unhoused individuals and help them find housing.

Lu Fields communicated concerns with the Project HomeKey site bordering

Sunnyvale and Santa Clara due to traffic congestion and requested information on the selection criteria.

Yvette spoke towards the lack of transparency and communication related to the Project HomeKey sites. She requested a study be conducted regarding long-term funding and identifying low-density residential sites.

Richard Mehlinger voiced support for helping the unhoused population and providing housing near services such as public transportation.

Brandon shared concerns with the Project HomeKey site bordering Sunnyvale and Santa Clara due to traffic congestion and high-density residential neighborhood.

Lillian communicated opposition to the Project HomeKey site bordering Sunnyvale and Mountain View.

Mayor Klein announced that Council will hear the remainder of speakers under Oral Communications following the Public Hearing/General Business agenda items.

### **CONSENT CALENDAR**

Vice Mayor Hendricks pulled Item 1.E for separate consideration.

MOTION: Vice Mayor Hendricks moved and Councilmember Larsson seconded the motion to approve agenda items 1.A through 1.D and 1.F through 1.J.

The motion carried with the following vote:

**Yes:** 7 - Mayor Klein  
Vice Mayor Hendricks  
Councilmember Larsson  
Councilmember Melton  
Councilmember Fong  
Councilmember Cisneros  
Councilmember Din

**No:** 0

**1.A**     [21-0693](#)     Approve City Council Meeting Minutes of September 28, 2021  
Approve the City Council Meeting Minutes of September 28, 2021 as submitted.

**1.B**     [21-0206](#)     Approve City Council Meeting Minutes of October 12, 2021

Approve the City Council Meeting Minutes of October 12, 2021 as submitted.

- 1.C**      [21-0260](#)      Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Approve the list(s) of claims and bills.

- 1.D**      [21-0217](#)      Accept Fiscal Year 2020/21 Transportation Development Act Article 3 Funding in the Amount of \$184,876, Approve Budget Modification No. 8 to Appropriate the Grant Funding and Developer Fair Share Contribution of \$8,000 from 581-583 E. Fremont Avenue to Fund the Construction of Pedestrian and Bicycle Safety Improvements at Fremont Avenue and Manet Drive/Bobwhite Avenue Project, and Find that the Action is Exempt from the California Environmental Quality Act

Accept Fiscal Year 2020/21 Transportation Development Act Article 3 funding in the amount of \$184,876; approve Budget Modification No. 8 to appropriate the grant funding and developer fair share contribution of \$8,000 from 581-583 E. Fremont Avenue to fund the construction of pedestrian and bicycle safety improvements at Fremont Avenue and Manet Drive/Bobwhite Avenue Project, and find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c).

- 1.E**      [21-0969](#)      Award of Contract to Verde Design Inc. for Professional Design Services for Community Center Grounds Renovations and Enhancement Project (F21-153)

Public Hearing opened at 8:37 p.m.

No speakers.

Public Hearing closed at 8:37 p.m.

Vice Mayor Hendricks moved and Councilmember Larsson seconded the motion to:

- Award a Consultant Services Agreement in substantially the same form as Attachment 1 to the report in the amount not-to-exceed \$1,270,719.00 to Verde Design 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 \$127,072.00.

The motion carried with the following vote:

**Yes:** 7 - Mayor Klein  
Vice Mayor Hendricks  
Councilmember Larsson  
Councilmember Melton  
Councilmember Fong  
Councilmember Cisneros  
Councilmember Din

**No:** 0

**1.F**     [21-0974](#)     Award of Contract to GDT for an All-Inclusive Network Infrastructure and Go-Live Support for the New Civic Center (F22-026)

Take the following actions:

- Award a Services Agreement in the amount not-to-exceed \$1,297,211.90 in substantially the same form as Attachment 1 to the report to GDT for an all-inclusive network infrastructure and pre- and post go-live support for a Cisco ACI Network; and
- Approve a 10% contingency in the amount of \$129,721.20.

**1.G**     [21-0958](#)     Authorize the Purchase of Two Parks Maintenance Service Mowers from Turf Star Western (F22-018)

Authorize the City Manager to issue a Purchase Agreement in the amount of \$281,371.20 to Turf Star Western for two Toro maintenance service mowers.

**1.H**     [21-0901](#)     Adopt the City's Investment Policy for Fiscal Year 2021/22 and Receive Annual Performance Report for Fiscal Year 2020/21

Adopt the City's Investment Policy for FY 2021/22 (Council Policy 7.1.2).

**1.I**     [21-0940](#)     Adopt a Resolution Extending the City's Declaration of Local Emergency for COVID-19

Adopt a Resolution extending the City Manager/Director of Emergency Services' Proclamation of Existence of a Local Emergency (COVID-19).

**1.J**     [21-0956](#)     Adopt a Resolution Making Findings Pursuant to Government Code Subdivision 54953 (e) (AB 361) to Continue Virtual Public Meetings for the City Council and Boards, Commissions and Council Subcommittees During the COVID-19 State of Emergency

Adopt a Resolution making findings pursuant to Government Code Subdivision 54953 (e) to continue virtual public meetings for the City Council and City Boards, Commissions and Council Subcommittees during the COVID-19 State of Emergency.

Council took a recess at 8:41 p.m. and reconvened at 8:45 p.m. with all Councilmembers present via teleconference.

**PUBLIC HEARINGS/GENERAL BUSINESS**

- 2        [21-0248](#)        Authorize the City Manager to Execute Amendment One to Parking Area License Agreement Between the City of Sunnyvale and TP SPE LLC for the Continued Use of 84 Parking Stalls at the Sunnyvale Golf Course (605 Macara Avenue - APN: 165-39-015)

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

Public Hearing opened at 8:48 p.m.

No speakers.

Public Hearing closed at 8:48 p.m.

MOTION: Vice Mayor Hendricks moved and Councilmember Larsson seconded the motion to approve Alternative 1: Authorize the City Manager to execute amendment one to Parking Area License Agreement between the City of Sunnyvale and TP SPE LLC for the continued use of 84 parking stalls at the Sunnyvale Golf Course extending the term of the license for two years with three one-year extensions.

The motion carried with the following vote:

- Yes: 7 -** Mayor Klein  
Vice Mayor Hendricks  
Councilmember Larsson  
Councilmember Melton  
Councilmember Fong  
Councilmember Cisneros  
Councilmember Din

**No: 0**

- 3**      [21-0985](#)      Approve Amendments to Council Policy 7.1.7 (Budget Issue Process); Council Policy 7.2.19 (Boards and Commissions); and the Code of Ethics and Conduct for Elected and Appointed Officials as Recommended by the Council Subcommittee on Boards and Commissions

City Clerk David Carnahan and Finance Director Tim Kirby provided the staff report.

Mayor Klein provided the Subcommittee report.

Public Hearing opened at 8:59 p.m.

No speakers.

Public Hearing closed at 8:59 p.m.

MOTION: Vice Mayor Hendricks moved and Councilmember Larsson seconded the motion to approve Alternatives 1, 3, and 5:

1. Approve the Council Subcommittee's recommended changes to Council Policy 7.1.7 Budget Issue Process (Attachment 1);
3. Approve the Council Subcommittee's recommended changes to Council Policy 7.2.19 Boards and Commissions (Attachment 6); and
5. Approve the Council Subcommittee's recommended changes to the Code of Ethics and Conduct for Elected and Appointed Officials (Attachment 8).

The motion carried with the following vote:

**Yes: 7 -** Mayor Klein  
Vice Mayor Hendricks  
Councilmember Larsson  
Councilmember Melton  
Councilmember Fong  
Councilmember Cisneros  
Councilmember Din

**No: 0**

- 4**      [21-0966](#)      Consider Options for Building A Pipeline for Students for Careers in the Public Service Study Issue and Plan Update as Part of the Fiscal Year 2022/23 Budget Process

Human Resources Director Tina Murphy provided the staff report.

Public Hearing opened at 9:27 p.m.

No speakers.

Public Hearing closed at 9:27 p.m.

MOTION: Councilmember Fong moved and Councilmember Din seconded the motion to approve Alternative 1: As part of the Fiscal Year 2022/23 Budget process include Options 1, 2 and 3:

1. Lowest resource commitment:

Continue current programs for internships within City of Sunnyvale for students, encouraging more participation from City departments; offer more student internships for high school and college students. The City would look for opportunities to grow our existing program, but not expand what staff are currently doing;

2. Moderate resource commitment:

Invite up to 10 Sunnyvale high school students to participate in the NOVA Summer Youth Program to take jobs within the City and attend NOVA skills training. Participants would be those who are not otherwise eligible to participate in the NOVA Summer Youth Program;

3. Significant resource commitment:

Fund five (5) full-time internships in various City departments;

With the following additional options:

Option 2b - Identify a maximum number of high school or college students to participate in the NOVA Summer Youth Program with the number of participants to be identified by NOVA Workforce Services; and

Option 3b – Identify part-time internships to fund instead of full-time internships.

Mayor Klein clarified if the motion intended to include a specific number of part-time internships to fund for budgetary purposes.

Councilmember Fong indicated the intent of the motion is to provide a range that allows staff to identify a specific number of possible City departments interested in part-time internships.

FRIENDLY AMENDMENT: Councilmember Fong amended the motion to fund up to 10 part-time internships.

City Manager Kent Steffens clarified if the motion intended to include placement limitations for the participants in the NOVA Summer Youth Program.

FRIENDLY AMENDMENT: Councilmember Fong amended the motion to limit participants be placed with the City of Sunnyvale and be Sunnyvale residents.

The amended motion carried with the following vote:

**Yes: 7 -** Mayor Klein  
Vice Mayor Hendricks  
Councilmember Larsson  
Councilmember Melton  
Councilmember Fong  
Councilmember Cisneros  
Councilmember Din

**No: 0**

Mayor Klein announced that Council will now hear the remainder of Oral Communication speakers.

**ORAL COMMUNICATIONS (Continued)**

Public Comment opened at 9:52 p.m.

No speakers.

Public Comment closed at 9:52 p.m.

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

None.

**NON-AGENDA ITEMS & COMMENTS**

**-Council**

Mayor Klein announced details of an upcoming County outreach meeting related to the Project HomeKey Crestview development.

**-City Manager**

City Manager Kent Steffens communicated that due to the number of retirements and departures in the work force, he approved unfreezing a Human Resources Technician position and conducting a recruitment for the position in Recruitment.

**INFORMATION ONLY REPORTS/ITEMS**

[21-0641](#) Tentative Council Meeting Agenda Calendar

[21-0925](#) Board/Commission Meeting Minutes

[21-0685](#) Information/Action Items

**ADJOURNMENT**

Mayor Klein adjourned the meeting at 9:55 p.m.