



City of Sunnyvale

Meeting Minutes City Council

Tuesday, July 13, 2021

7:00 PM

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

Regular Meeting - 7 PM

7 P.M. COUNCIL MEETING

CALL TO ORDER

Pursuant to Section 3 of Executive Order N-29-20 (March 17, 2020) and Section 42 of Executive Order N-08-21 (June 11, 2021), issued by Governor Newsom, the meeting was conducted telephonically.

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.

ORAL COMMUNICATIONS

Councilmember Cisneros announced details of the current recruitment for various boards and commissions. She shared details of COVID-19 vaccination availability at the Sunnyvale Wednesday Night Music Series and availability via Santa Clara County.

Steve Burke communicated concerns regarding traffic along Lincoln Avenue and requested traffic control improvements such as a speed taming device be installed.

Carl Guardino, Executive Vice President, Bloom Energy shared details of an upcoming Stars and Strides community run.

Brian Taraki shared an audio song recording related to World War II.

Jason Ferrell voiced support for traffic control improvements along Lincoln Avenue.

CONSENT CALENDAR

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

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 [21-0166](#) Approve City Council Meeting Minutes of June 29, 2021

Approve the City Council Meeting Minutes of June 29, 2021 as submitted.

1.B [21-0253](#) 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 [21-0632](#) 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.D [21-0710](#) Adopt a Resolution Authorizing Participation in the Santa Clara
County Abandoned Vehicle Abatement Authority for an
Additional Ten Years and Continue Collection of a One Dollar
Fee to Fund the Authority

Adopt a Resolution authorizing participation in the Santa Clara County Abandoned

Vehicle Abatement Authority for an additional ten years and continue collection of a one dollar fee to fund the authority.

- 1.E** [21-0719](#) Adopt Ordinance No. 3178-21 to Amend Chapter 19.67 (Below Market Rate Ownership Housing) of Title 19 of the Sunnyvale Municipal Code to Modify the Inclusionary Housing Program

Adopt Ordinance No. 3178-21 to amend Chapter 19.67 (Below Market Rate Ownership Housing) of Title 19 of the Sunnyvale Municipal Code to modify the Inclusionary Below Market Rate Ownership Housing Program.

- 1.F** [21-0497](#) Adopt Ordinance No. 3179-21 to Amend Section 12.12.120 (Local Limits for Wastewater) of Chapter 12.12 (Sewer Use Regulations) of Title 12 (Water and Sewers) of the Sunnyvale Municipal Code

Adopt Ordinance No. 3179-21 to amend Section 12.12.120 (Local Limits for Wastewater) of Chapter 12.12 (Sewer Use Regulations) of Title 12 (Water and Sewers) of the Sunnyvale Municipal Code.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [21-0074](#) Housing Strategy Implementation: Consider Draft Mobile Home Park Memorandum of Understanding

Housing Officer Jenny Carloni provided the staff report and presentation.

Public Hearing opened at 8:53 p.m.

Ryan Jasinsky, Director of Property Management, Brandenburg and Moore on behalf of the mobile home park owners stakeholder group communicated the group's support for the Memorandum of Understanding (MOU) that includes the staff's compromise terms including the annual rent increase option.

Bruce Stanton, Attorney on behalf of the mobile home park residents stakeholder group voiced the group's support for Alternative 2, specifically fair annual rent increases, reasonable resale rent caps on turnovers and a mechanism to ensure enforceability.

Tammy Campagna shared concerns with the outreach and communication effort made to the residents about the MOU and voiced support for Alternative 4.

Richard Mehlinger, Chair, Livable Sunnyvale shared the group's support for the residents' terms, specifically a 10-year term and 24-month vacancy turnover limit.

Dave Campagna communicated concerns with the proposed MOU including the 15 percent vacancy rate increase and 20-year term. He shared support for Alternative 4.

Denise Gallardo spoke towards the 3 percent or 75 percent of Consumer Price Index (CPI) rent increases and voiced support for a 15 percent limit on vacancy rate increases.

Anna Marie voiced support for the residents MOU terms, specifically a 10-year term and a Rent Stabilization Ordinance (RSO).

Kiyomi Honda Yamamoto, Lead Housing Policy Attorney, Law Foundation of Silicon Valley shared support for the residents' MOU terms, an RSO and establishing an oversight committee.

Beelia communicated support for the residents MOU terms.

Gail Rubino voiced support for a 20-year term with a check-in at year 10, establishing an oversight committee and an RSO.

Barbara Valley shared concerns with the communication efforts made to the residents regarding the MOU and requested future communication be conducted in various formats and include multiple languages.

Jason Feinsmith communicated support for Alternative 3 and including the 24-month vacancy turnover limit restriction. He also shared support for establishing an RSO.

Doug Johnson, Western Manufactured Housing Communities Association voiced support for the park owners' MOU terms.

Danielle Hoversten shared concerns with the communication efforts made to residents regarding the MOU and the 20-year term.

Emily Ann Ramos, Silicon Valley at Home communicated support for the residents' MOU terms and establishment of an RSO.

Deb Wolten voiced concerns with not including a maximum pass-through dollar amount in the MOU and support for a 10-year term.

Alex Brown shared support for Alternative 5 and an RSO.

Rick communicated concerns with the opt-in/out MOU option.

Julia, Livable Sunnyvale voiced support for staff's recommendation with the following modifications reinstating the vacancy turnover limit of once every 24-months and adding a check-in at year 10 of the MOU.

Mike Serrone, Livable Sunnyvale shared support for the residents' MOU terms, an RSO and a check-in at year 10 of the MOU.

Robert Koreski, Managing Owner, Mary Manor Estates Mobile Home Park communicated support for the staff recommendation.

Fred Kamera voiced concerns with the cap rent increase of \$2,250 on unit turnover.

Bruce Stanton on behalf of the mobile home park residents spoke towards providing residents with information and education regarding the approved MOU and options available. He shared the group's support for Alternative 2.

Ken Kravensa, Chief Operating Officer, Hometown America on behalf of mobile home park owners spoke towards the dual annual rent increase options and communicated the group's support for Alternative 3.

Public Hearing closed at 9:45 p.m.

MOTION: Councilmember Din moved the motion to direct staff to incorporate into the Memorandum of Understanding (MOU) language at their discretion following Letter M of the recitals that staff should create a mechanism by which a majority of the stakeholders of owners and residents confer and discuss details of the MOU at the 10-year mark.

FRIENDLY AMENDMENT AND SECOND: Councilmember Fong offered a friendly amendment and a second to the motion to direct staff to add language to Recital Letter M similar to, "all parties to the MOU acknowledge the ability to discuss potential modifications to the MOU in the future."

Councilmember Din accepted the friendly amendment.

FRIENDLY AMENDMENT: Mayor Klein offered a friendly amendment to set the MOU to expire after 20 years.

Councilmembers Din and Fong accepted the friendly amendment.

FRIENDLY AMENDMENT: Mayor Klein offered a friendly amendment to approve Alternative 3: Authorize the City Manager to execute the Sunnyvale Mobile Home Park Memorandum of Understanding (MOU), in substantially the same form as Attachment 1 to the report, incorporating staff's compromise terms; and authorize staff to prepare a Rent Stabilization Ordinance for any owner who does not sign the final MOU.

Councilmembers Din and Fong accepted the friendly amendment.

RESTATED MOTION AS AMENDED: Councilmember Din moved and Councilmember Fong seconded the motion to approve Alternative 3:

A. Authorize the City Manager to execute the Sunnyvale Mobile Home Park Memorandum of Understanding (MOU), in substantially the same form as Attachment 1 to the report incorporating staff's compromise terms with the following modifications:

1. Direct staff to add language to Recital Letter M similar to, "all parties to the MOU acknowledge the ability to discuss potential modifications to the MOU in the future;"
2. Set the MOU to expire after 20 years; and

B. Authorize staff to prepare a Rent Stabilization Ordinance for any owner who does not sign the final MOU.

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

Council took a recess at 10:34 p.m. and reconvened at 10:45 p.m. with all Councilmembers present via teleconference.

- 3** [21-0443](#) Adopt a Resolution Confirming the Report and Assessment List for Unpaid Administrative Citations to be Placed on the FY 2021/22 County of Santa Clara Property Tax Roll, and Find That This Action is Exempt From the California Environmental Quality Act

Finance Director Tim Kirby provided the staff report.

Public Hearing opened at 11:18 p.m.

Yanan Li spoke regarding their property.

Public Hearing closed at 11:21 p.m.

MOTION: Councilmember Melton moved and Vice Mayor Hendricks seconded the motion to approve Alternative 1: Adopt a Resolution confirming the Report and Assessment List for unpaid administrative fines to be placed on the Fiscal Year 2021/22 County of Santa Clara Property Tax Roll (with modifications included in revised Exhibit A to Attachment 1) and find that the action is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b) (4).

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

MOTION: Vice Mayor Hendricks moved and Councilmember Melton seconded the motion to hear agenda Item-4 Consideration of Undergrounding Additional Overhead Services...

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** [21-0437](#) Consideration of Undergrounding Additional Overhead Services Related to 365 S. Mathilda Avenue and Approval of Budget Modification No. 1 in the Amount of \$399,880

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

Public Hearing opened at 11:37 p.m.

No speakers.

Public Hearing closed at 11:37 p.m.

MOTION: Councilmember Melton moved and Councilmember Larsson seconded the motion to approve Alternatives 1 and 2:

1. Authorize the use of approximately \$101,500 as a 50% match from Project 802150 Undergrounding Overhead Utilities to extend undergrounding down Charles Street south of the project site and;
2. Do not authorize undergrounding of the overhead service distribution line that extends to the west from the joint pole on the east side of Charles Street as part of the project condition of approval and leave the existing wood pole in place and do not authorize Budget Modification No. 1 in the amount of \$399,880.

The motion carried with the following vote:

- Yes: 6 -** Mayor Klein
Councilmember Larsson
Councilmember Melton
Councilmember Fong
Councilmember Cisneros
Councilmember Din
- No: 1 -** Vice Mayor Hendricks

MOTION: Councilmember Melton moved and Vice Mayor Hendricks seconded the motion to hear agenda Item-5 Approve a One-Year Extension of the Memorandum of Understanding...

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**

- 5** [21-0677](#) Approve a One-Year Extension of the Memorandum of Understanding between the City of Sunnyvale and the Service Employees International Union (SEIU), and Adopt a Resolution Amending the City's Salary Resolution and the Schedule of Pay to Increase Salaries for Pay Plan Category L (Employees Represented by SEIU)

Human Resources Director Tina Murphy provided the staff report.

Public Hearing opened at 11:48 p.m.

No speakers.

Public Hearing closed at 11:48 p.m.

MOTION: Vice Mayor Hendricks moved and Councilmember Din seconded the motion to approve Alternative 1: Authorize the City Manager to execute a one-year extension of the Memorandum of Understanding (MOU) between the City of

Sunnyvale and the Service Employees International Union (SEIU), and adopt a Resolution amending the City's Salary Resolution and the Schedule of Pay to increase salaries for Pay Plan Category L (Employees Represented by the Service Employees International Union).

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

MOTION: Vice Mayor Hendricks moved and Councilmember Melton seconded the motion to hear agenda Item-6 Adopt a Resolution Amending the City's Salary Resolution...

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

- 6** [21-0557](#) Adopt a Resolution Amending the City's Salary Resolution and the Schedule of Pay to Increase the Salary Ranges for Pay Plan Category F (Unclassified Department Directors)

City Manager Kent Steffens provided the staff report.

Public Hearing opened at 11:52 p.m.

No speakers.

Public Hearing closed at 11:52 p.m.

MOTION: Vice Mayor Hendricks moved and Councilmember Melton seconded the motion to approve Alternative 1: Adopt a Resolution amending the City's Salary Resolution and Schedule of Pay to increase the salary ranges for unclassified Department Director Positions (Pay Plan Category F).

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

MOTION: Councilmember Melton moved and Councilmember Fong seconded the motion to hear the remainder of the agenda items.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Councilmember Larsson
Councilmember Melton
Councilmember Fong
Councilmember Cisneros
Councilmember Din

No: 1 - Vice Mayor Hendricks

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Vice Mayor Hendricks announced that the Board of Directors of Valley Transportation Authority (VTA) appointed Carol Gonot as VTA's next General Manager and Chief Executive Officer.

NON-AGENDA ITEMS & COMMENTS

-Council

MOTION: Councilmember Melton moved and Councilmember Din seconded the motion to direct staff to agendize a discussion topic on the July 27 or August 10 agenda for Council to consider taking a position on upcoming County redistricting, specifically that the entirety of Sunnyvale be placed in County District 3, currently represented by Supervisor Otto Lee.

FRIENDLY AMENDMENT: Mayor Klein offered a friendly amendment to include discussion regarding congressional district advocacy. Councilmembers Melton and Din accepted the friendly amendment.

FRIENDLY AMENDMENT: Vice Mayor Hendricks offered a friendly amendment to direct staff to provide Council with advocacy options related to redistricting. Councilmembers Melton and Din accepted the friendly amendment.

RESTATED MOTION AS AMENDED: Councilmember Melton moved and Councilmember Din seconded the motion to direct staff to agendize a discussion topic on the July 27 or August 10 agenda where Council considers redistricting advocacy for county supervisors and congressional districts.

FRIENDLY AMENDMENT: Councilmember Fong offered a friendly amendment to include all elected seats within the jurisdiction of Sunnyvale. Councilmembers Melton and Din accepted the friendly amendment.

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

-City Manager

City Manager Kent Steffens announced that NOVA Workforce Services re-opened to walk-in customers on July 12 and shared details of the CalPERS investment return rate for fiscal year 2021.

INFORMATION ONLY REPORTS/ITEMS

- [21-0681](#) Tentative Council Meeting Agenda Calendar
- [21-0682](#) Board/Commission Meeting Minutes
- [21-0683](#) Information/Action Items
- [21-0738](#) Board/Commission Resignation (Information Only)

ADJOURNMENT

Mayor Klein adjourned the meeting at 12:07 a.m.