



City of Sunnyvale

Meeting Minutes - Draft City Council

Tuesday, May 21, 2024

5:00 PM

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

Special Meeting: Workshop - 5 PM | Regular Meeting - 7 PM

5 P.M. SPECIAL COUNCIL MEETING (Workshop)

Call to Order

Vice Mayor Srinivasan called the meeting to order at 5:00 p.m.

Roll Call

Present: 7 - Mayor Larry Klein
Vice Mayor Murali Srinivasan
Councilmember Russ Melton
Councilmember Alysa Cisneros
Councilmember Omar Din
Councilmember Richard Mehlinger
Councilmember Linda Sell

Councilmember Cisneros participated via teleconference.

Workshop

A [24-0234](#) Civic Center Phase 2: Main Library Preferred Concept Selection

Public Works Director Chip Taylor, Assistant City Engineer Allison Boyer, and Curt Barlow, Fairbank, Maslin, Maullin, Metz & Associates (FM3) provided the staff report and presentation.

Public Comment opened at 6:45 p.m.

Sharlene Wang shared their support for the \$290 million concept plan and the importance of having a modern library.

Mike Serrone communicated their support for the \$290 million library concept plan.

Chuck McMannis shared the positive attributes a modern library would bring to the community.

Tara Martin-Milius voiced their support for the larger \$290 million library concept plan.

Josh Rupert spoke in support for the library concept plans options while advocating consideration to the lower budgeted plan.

Sue Serrone communicated their support for the \$290 million library concept plan that can better accommodate changing utilization.

Public Comment closed at 7:01 p.m.

Adjourn Special Meeting

Vice Mayor Srinivasan adjourned the meeting at 7:01 p.m.

7 P.M. COUNCIL MEETING

CALL TO ORDER

Mayor Klein called the meeting to order at 7:12 p.m.

SALUTE TO THE FLAG

Mayor Klein led the salute to the United States flag.

ROLL CALL

Present: 7 - Mayor Larry Klein
Vice Mayor Murali Srinivasan
Councilmember Russ Melton
Councilmember Alysa Cisneros
Councilmember Omar Din
Councilmember Richard Mehlinger
Councilmember Linda Sell

Councilmember Cisneros participated via teleconference.

CLOSED SESSION REPORT

Vice Mayor Srinivasan reported that Council met in Closed Session on May 13, 2024 Pursuant to California Government Code Section 54957: PUBLIC EMPLOYEE APPOINTMENT Title: City Manager; nothing to report.

SPECIAL ORDER OF THE DAY

B [24-0338](#) Public Works Week

Mayor Klein spoke in recognition of Public Works Week.

Public Works Director Chip Taylor spoke in honor of Public Works Week.

C [24-0334](#) Municipal Clerks Week

Mayor Klein spoke in recognition of Municipal Clerks Week.

ORAL COMMUNICATIONS

Councilmember Melton announced the LGBTQ+ Pride Flag Raising event and the Community Award Nomination period.

Angela Hickson, School Program Coordinator, Sunnyvale Heritage Park Museum, shared their advocacy for additional financial support for the Sunnyvale Heritage Park Museum.

Rebecca Lueky spoke to the need of additional affordable afterschool childcare services and sought support from the City.

Gill See voiced their concerns with the lack of affordable afterschool childcare services in the Sunnyvale.

Shirram Venkakesan communicated their advocacy for additional affordable afterschool childcare options in Sunnyvale.

Justin Wang shared their advocacy for additional financial support for the Sunnyvale Heritage Park Museum.

Mike Serrone spoke in support for Council increasing the financial support to the Sunnyvale Heritage Park Museum.

Peggy Shen-Brewster communicated their concerns with the limited affordable childcare options and to the plans to remove retail spaces from village center plans

in North Sunnyvale.

Geeta Gollakota shared their concerns with the lack of affordable childcare options for families in Sunnyvale.

Cortney Jansen advocated for affordable after school childcare services and for additional grocery store options in North Sunnyvale.

Tara Martin-Milius support for further funding to the Heritage historical museum and the removal of retail from village center plans in North Sunnyvale.

CONSENT CALENDAR

Public Comment opened at 7:58 p.m.

No speakers.

Public Comment closed at 7:58 p.m.

MOTION: Vice Mayor Srinivasan moved and Councilmember Melton 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 Srinivasan
Councilmember Melton
Councilmember Cisneros
Councilmember Din
Councilmember Mehlinger
Councilmember Sell

No: 0

1.A [24-0437](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Approve the list(s) of claims and bills.

1.B [24-0481](#) Award of Five (5) On-Call Service Agreements for the Purchase of Wastewater Treatment Enhancer Chemicals for the Water Pollution Control Plant (F24-010)

Take the following actions:

- Award five (5) three-year On-Call Service Agreements to the following firms:

Jenfitch, Inc. with a contract amount not-to-exceed \$500,000, Chemtrade Chemicals US, LLC with a contract amount not-to-exceed \$500,000, Veolia WTS USA, Inc. with a contract amount not-to-exceed \$500,000, SNF Polydyne, Inc. with a contract amount not-to-exceed \$500,000, and Thatcher Company of California, Inc. with a contract amount not-to-exceed \$500,000 in substantially the same formats shown in Attachments 2 to 6 to the report;

- Authorize the City Manager to execute the agreements when all conditions have been met; and
- Authorize the City Manager to amend the not-to-exceed amounts and to renew the contracts for up to three (3) additional one-year periods, subject to available budget, need and if pricing and services remain acceptable to the City.

1.C [24-0466](#) Authorize the City Manager to Apply for a Discretionary Wastewater Discharge Permit from Silicon Valley Clean Water (SVCW) for the Disposal of Source-Separated Residential and Commercial Organic Waste from the Sunnyvale SMaRT Station in the Amount of \$340,000

Authorize the City Manager to apply for a Discretionary Wastewater Discharge Permit in the amount of \$340,000 with Silicon Valley Clean Water (SVCW) for the disposal of Source-Separated Residential and Commercial Organic Waste from the Sunnyvale SMaRT Station® and Authorize the City Manager to renew this permit for five additional one-year periods subject to available budget and as long as service and pricing remain acceptable.

1.D [24-0383](#) Approve the FY 2024/25 Preliminary Engineer's Report for the Downtown Parking District Assessment, Adopt a Resolution of Intention to Levy and Collect an Assessment for the Downtown Parking Maintenance District for FY 2024/25, and Set the Date of June 25, 2024 for the Public Hearing on the Proposed Assessment

Approve the Fiscal Year (FY) 2024/25 preliminary Engineer's Report for the Downtown Parking District Assessment, adopt a Resolution of Intention to Levy and Collect an Assessment for the Downtown Parking Maintenance District for FY 2024/25, and set the date of June 25, 2024 for the public hearing on the levy of the proposed Assessment.

1.E [24-0615](#) Review and Adopt a Long-term Advocacy Position (LAP) Related to the Levine Act

Approve a new long-term advocacy position:

“Support efforts to achieve the goals of the Levine Act while providing clear and understandable rules that do not unreasonably limit officials’ ability to participate in governance of the City.”

1.F [24-0641](#) Adopt Ordinance No. 3228-24 Amending Chapter 19.16 (Precise Zoning Plans - Zoning Districts - Zoning Maps) of the Sunnyvale Municipal Code to Rezone Certain Property Located at 1313 South Wolfe Road, a 1.2-acre Site and 898 East Fremont Avenue, a 0.54-acre Site from Neighborhood Business (C-1) with a Planned Development (PD) Combining District to Medium Density Residential (R-3) with Mixed Use (MU) and Planned Development (PD) Combining District

Adopt Ordinance No. 3228-24 amending Chapter 19.16 (Precise Zoning Plans - Zoning Districts - Zoning Maps) of the Sunnyvale Municipal Code to rezone certain property located at 1313 South Wolfe Road, a 1.2-acre site and 898 East Fremont Avenue, a 0.54-acre site from Neighborhood Business (C-1) with a Planned Development (PD) Combining District to Medium Density Residential (R-3) with Mixed Use (MU) and Planned Development (PD) Combining District.

PUBLIC HEARINGS/GENERAL BUSINESS

2 [24-0594](#) Award a Contract with all Additive Alternate Bid Items to Bobo Construction, Inc. in the Amount of \$23,178,824.25 for the Lakewood Branch Library and Learning Center Project (PW24-11); Adopt the Mitigated Negative Declaration and Mitigation Monitoring, and Reporting Program for the Project; and Approve Budget Modification No. 23 in the Amount of \$2,731,329

Assistant City Engineer Nathan Scribner and Public Works Director Chip Taylor provided the staff report and presentation.

Public Hearing opened at 8:28 p.m.

Eileen Le, Trustee, Sunnyvale School District, communicated their support for the Lakewood Branch Library project.

Carlos Durn, Field Representative, NorCal Carpenters Union, voiced their concerns with Bobo Construction, Inc and their lack of cooperation with the NorCal Carpenters Union.

Lori Riehl, Adult School Principal, Fremont Union High School District (FUHSD), spoke to the collaborative process between the City and the FUHSD in developing the Lakewood Branch Library.

Cortney Jansen shared their support for Lakewood Branch Library project.

Public Hearing closed at 8:39 p.m.

MOTION: Councilmember Mehlinger moved and Councilmember Melton seconded the motion to approve Alternative 1: Authorize the City Manager to take the following actions:

- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$22,527,824.25 to Bobo Construction, Inc. of Elk Grove;
- Award all five Additive Alternate Bid items in the contract at a cost of \$651,000 for a contract total amount of \$23,178,824.25;
- Authorize the City Manager to execute the contract when all necessary conditions have been met;
- Make the findings required by the California Environmental Quality Act as stated in the Mitigated Negative Declaration, as Attachment 6 to the report, adopt the Final Mitigated Negative Declaration, as Attachment 3 to this report, and Mitigation Monitoring and Reporting Program, as Attachment 4 to the report, for the project;
- Approve a Budget Modification No. 23 in the amount of \$2,731,329 to provide additional funding for this project; and
- Approve a 10% construction contingency in the amount of \$2,317,882.

FRIENDLY AMENDMENT: Councilmember Melton made a friendly amendment to direct staff to use the park dedication fund for the Lakewood Branch Library project to the extent possible. Councilmember Mehlinger accepted the friendly amendment.

The motion as amended carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Cisneros
Councilmember Din
Councilmember Mehlinger
Councilmember Sell

No: 0

City Council took a recess at 9:00 p.m. and returned at 9:08 p.m. with all Councilmembers present; Councilmember Cisneros participated via teleconference.

3 [24-0610](#) Discussion and Possible Action Regarding Placing a Revenue Measure on the November 2024 Ballot: Real Property Transfer Tax Measure and/or Civic Center Phase 2: Main Library Bond Measure

Assistant Finance Director Dennis Jaw provided the staff report and presentation.

Public Hearing opened at 9:47 p.m.

Brent Davidson, Intuitive Surgical, spoke in support of the staff recommendation to only move forward with the main library bond measure on the November 2024 ballot.

Eddie Truong, NAIOP Silicon Valley, voiced their support for the City staff recommendation to only move forward with the library bond measure on the November 2024 ballot.

Kevin Jackson shared their support for placing a real property transfer tax measure on the November 2024 ballot.

Carter Hu communicated their support for the staff recommendation to only move forward with the library bond measure on the November 2024 ballot.

Dan Kostenbauder, Vice President of Tax Policy, Silicon Valley Leadership Group, advocated for the staff recommendation to only move forward with the library bond measure on the November 2024 ballot.

Shane Jackstein, Co-Chair, Sunnyvale Chamber of Commerce, voiced their support for the staff recommendation to only move forward with the library bond measure on the November 2024 ballot.

Member of the public provided comments on the staff report and ballot measure language.

Josh Rupert spoke in support of the staff recommendation to only move forward the

library bond measure on the November 2024 ballot.

Kerry Haywood, Moffett Park Business Group, voiced their support for the staff recommendation to only move forward with the library bond measure on the November 2024 ballot.

Public Hearing closed at 10:17 p.m.

MOTION: Councilmember Mehlinger moved and Councilmember Melton seconded the motion to approve Alternative 3: Direct staff to return to Council with actions necessary to place a general obligation bond measure to support the issuance of \$290 million in bonds for the construction of a new library on the November 2024 ballot.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Cisneros
Councilmember Din
Councilmember Mehlinger
Councilmember Sell

No: 0

City Council took a recess at 10:55 p.m. and returned at 11:05 p.m. with all Councilmembers present; Councilmember Cisneros participated via teleconference.

4 [24-0545](#) Adopt a Resolution Suspending Enforcement of Sunnyvale Municipal Code Sections 16.42.030 through 16.42.080 Related to All-Electric Requirements for New and Substantially Reconstructed Buildings, and Direct Staff to Investigate Alternatives to Achieve Building Electrification

Chief Building Official Suzanne Park provided the staff report.

Public Hearing opened at 11:09 p.m.

Kristel Wickham voiced their support for directing staff to urgently investigate

alternatives to achieve building electrification.

Dashiell Leeds, Conservation Coordinator, Sierra Club Loma Prieta Chapter, shared their support for investigating alternatives to achieve building electrification and returning to Council with a date certain.

Martin Pyne spoke in support of suspending enforcement of the all-electric requirements versus revoking them entirely.

Public Hearing closed at 11:17 p.m.

MOTION: Councilmember Din moved and Councilmember Mehlinger seconded the motion to approve Alternative 1: Adopt a Resolution to suspend enforcement of Sunnyvale Municipal Code Sections 16.42.030 through 16.42.080 related to all-electric requirements for new and substantially reconstructed buildings and direct staff to investigate alternatives to achieve building electrification and;

- Add a legislative advocacy position that advocates to the federal government for legislative relief in re-imposing the all-electric requirements.

FRIENDLY AMENDMENT: Councilmember Sell offered a friendly amendment to direct staff to return to Council in 6 months with an update on their investigation of alternatives to achieving building electrification. Councilmembers Din and Mehlinger accepted the friendly amendment.

MOTION AS AMENDED RESTATED: Councilmember Din moved and Councilmember Mehlinger seconded the motion to:

- Approve Alternative 1: Adopt a Resolution to suspend enforcement of Sunnyvale Municipal Code Sections 16.42.030 through 16.42.080 related to all-electric requirements for new and substantially reconstructed buildings;
- Direct staff to investigate alternatives to achieve building electrification;
- Direct staff to return to Council in 6 months with an update on their investigation of alternatives to achieving building electrification; and
- Add a legislative advocacy position that advocates to the federal government for legislative relief in re-imposing the all-electric requirements.

The motion as amended carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Cisneros
Councilmember Din
Councilmember Mehlinger
Councilmember Sell

No: 0

5 [24-0541](#) Evaluation and Direction Regarding Wi-Fi Installation at the Corn Palace Park Project (PR-22-03), Lakewood Park Renovation Project (PR-22-01) and Plaza del Sol Project (PR-21-26)

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

Public Hearing opened at 11:43 p.m.

No speakers.

Public Hearing closed at 11:43 p.m.

MOTION: Councilmember Mehlinger moved and Vice Mayor Srinivasan seconded the motion to approve Alternative 1: Approve installation of Wi-Fi in the common areas of Lakewood Park and blanket coverage for Plaza del Sol, do not approve installation of Wi-Fi at Corn Palace Park Development, and direct staff to include the ongoing annual costs in the Fiscal Year 2025/26 Adopted Budget.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Cisneros
Councilmember Din
Councilmember Mehlinger
Councilmember Sell

No: 0

MOTION: Vice Mayor Srinivasan moved and Councilmember Melton seconded the motion to hear agenda item 6.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Cisneros
Councilmember Din
Councilmember Mehlinger
Councilmember Sell

No: 0

6 [24-0290](#) Public Safety Military Equipment Use Annual Report Pursuant to California Assembly Bill No. 481

Public Safety Chief Phan Ngo and Captain Fabian Monge provided the staff report and presentation.

Public Hearing opened at 12:07 a.m.

No speakers.

Public Hearing closed at 12:07 a.m.

MOTION: Councilmember Melton moved and Councilmember Din seconded the motion to approve Alternative 1: Adopt a Resolution regarding the Presentation of the Annual Public Safety Military Equipment Use Report and Renewing the Military Equipment Use Policy Pursuant to California Assembly Bill No. 481 and finding the uses conformed to Policy, authorizing staff to seek grant funding for equipment, and finding that the Action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Cisneros
Councilmember Din
Councilmember Mehlinger
Councilmember Sell

No: 0

7 [24-0022](#) Appoint Applicants to the Arts Commission, Bicycle and Pedestrian Advisory Commission, Board of Library Trustees, Heritage Preservation Commission, Housing and Human Services Commission, Human Relations Commission, Parks and Recreation Commission, Personnel Board, Planning Commission and Sustainability Commission

MOTION: Councilmember Melton moved and Councilmember Din seconded the motion to continue this agenda item to May 28, 2024 at 6 p.m.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
 Vice Mayor Srinivasan
 Councilmember Melton
 Councilmember Cisneros
 Councilmember Din
 Councilmember Mehlinger
 Councilmember Sell

No: 0

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Agenda item not heard by Council.

NON-AGENDA ITEMS & COMMENTS

-Council

Agenda item not heard by Council.

D [24-0639](#) Colleagues Memorandum: Study Session on City Support for Organizing Community Events

Agenda item not heard by Council.

-City Manager

Agenda item not heard by Council.

INFORMATION ONLY REPORTS/ITEMS

[24-0410](#) Tentative Council Meeting Agenda Calendar

- [24-0583](#) Board/Commission Meeting Minutes
- [24-0605](#) Information/Action Items
- [24-0634](#) Council Advocacy Letters
- [24-0597](#) Election Information for Candidates - November 5, 2024
Election

ADJOURNMENT

Mayor Klein adjourned the meeting at 12:11 a.m.