



City of Sunnyvale

Meeting Minutes - Draft

City Council

Tuesday, November 9, 2021

5:00 PM

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

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

5 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 5:00 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 Alysia Cisneros
Councilmember Omar Din

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

Public Comment

Public Comment opened at 5:02 p.m.
No speakers.
Public Comment closed at 5:02 p.m.

Convene to Closed Session

A [21-1008](#) Closed Session Held Pursuant to California Government Code
Section 54957.6: CONFERENCE WITH LABOR

NEGOTIATORS, Agency designated representatives: Tina Murphy, Director of Human Resources

Employee organizations: Communications Officers Association (COA); Public Safety Managers Association (PSMA)

Adjourn Special Meeting

Mayor Klein adjourned the meeting at 5:27 p.m.

5:30 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 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 Alysia Cisneros
Councilmember Omar Din

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

Study Session

B [21-0801](#) Golf Subsidy Study Issue

Superintendent of Parks and Golf Jim Stark, Director of Public Works Chip Taylor and Ed Getherall, Director of Consulting Services, National Golf Foundation provided the staff report and presentation.

Public Comment opened at 7:00 p.m.

Stephen Meier voiced concerns with the lack of public input from Sunnyvale residents related to the golf survey, low land utilization and the impact on climate change due to intensive water usage.

Coleen Hausler communicated support for acquiring additional user information specifically, the number of Sunnyvale residents versus non-residents

Public Comment closed at 7:02 p.m.

Adjourn Special Meeting

Mayor Klein adjourned the meeting at 7:02 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 7:04 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 54957.6: CONFERENCE WITH LABOR NEGOTIATORS, Agency designated representatives: Tina Murphy, Director of Human Resources. Employee organizations: Communications Officers Association (COA); Public Safety Managers Association (PSMA); nothing to report.

SPECIAL ORDER OF THE DAY

C [21-0359](#) Picture Book Month

Mayor Klein read a proclamation in honor of Picture Book Month. A video from the Sunnyvale Public Library was shared.

D [21-0360](#) Small Business Saturday

Mayor Klein read a proclamation in honor of Small Business Saturday. Dawn Maher, Sunnyvale Chamber of Commerce and Mike Johnson, Sunnyvale Downtown Association spoke towards the proclamation.

ORAL COMMUNICATIONS

Kristel Wickham spoke about the COP26 Global Conference on Climate Change and Sunnyvale's progress in climate action.

Radhika Agarwal, a member of the Sunnyvale Youth Climate Action group, inquired why the agenda discussion related to the Single Use Plastic Ordinance was rescheduled to February and spoke in favor of a stronger ordinance.

Anika Khandavalli, a member of the Silicon Valley Youth Climate Action group, requested information on why the Single Use Plastic Ordinance agenda item was moved to February and communicated support for a stronger ordinance.

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 [21-0986](#) Approve City Council Meeting Minutes of October 26, 2021

Approve the City Council Meeting Minutes of October 26, 2021 as submitted.

- 1.B** [21-0261](#) 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** [21-0783](#) Receive and File the FY 2021/22 First Quarter Budget Update
Receive and file the FY 2021/22 First Quarter Budget Update.

- 1.D** [21-0902](#) Authorize the Issuance of a Contract Purchase Agreement to Reed & Graham, Inc. for Asphaltic Materials and Pavement Reinforcement Fabric (F22-030)

Take the following actions:

- Authorize the issuance of a contract purchase agreement to Reed & Graham, Inc. in a not-to-exceed contract amount of \$1,300,000; and
- Authorize the City Manager to amend the not-to-exceed amount of this contract purchase agreement, subject to available budget and if pricing and service remain acceptable to the City.

- 1.E** [21-0185](#) Adopt a Resolution Approving the City Council Regular Meeting Calendar for 2022 through February 2023

Adopt a Resolution approving the City Council regular meeting calendar for 2022 through February 2023 as submitted.

- 1.F** [21-1012](#) Joining United Against Hate Week and Proclaiming November 14-20, 2021 as United Against Hate Week

Adopt a Resolution joining United Against Hate Week and proclaiming November 14-20, 2021 as United Against Hate Week.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [21-0788](#) Award an Agreement for Operation of the Sunnyvale SMaRT® Station to Bay Counties Waste Services

Director of Environmental Services Ramana Chinnakotla and Solid Waste Division Manager David Krueger provided the staff report and presentation.

Public Hearing opened at 7:50 p.m.

Jerry Nabhan, Operation Officer, Bay Counties Waste Services spoke towards the collaboration between both agencies with finalizing the agreement.

Public Hearing closed at 7:51 p.m.

MOTION: Vice Mayor Hendricks moved and Councilmember Fong seconded the motion to approve Alternative 1: Award a seven and one-half (7.5) year agreement for operation of the SMaRT Station, in substantially the same form as Attachment 1 to the report, to Bay Counties Waste Services, Inc. and authorize the City Manager to execute the agreement for the operation of the Sunnyvale Materials Recovery and Transfer Station between the City of Sunnyvale and Bay Counties Waste Services, Inc. when all necessary conditions have been met.

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** [21-0972](#) Approve an Allocation from the Public Art Acquisition Fund for up to \$100,000 for Prefabricated Sculptures Modified by Artists

Director of Library and Recreation Services Cherise Brandell provided the staff report and presentation.

Public Hearing opened at 8:14 p.m.

No speakers.

Public Hearing closed at 8:14 p.m.

MOTION: Vice Mayor Hendricks moved and Councilmember Din seconded the motion to approve Alternative 1: Approve an allocation from the Public Art Acquisition Fund for up to \$100,000 for prefabricated sculptures modified by artists.

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** [21-0086](#) Introduce an Ordinance to Repeal and Re-Adopt Sunnyvale Municipal Code Chapter 8.16 (Solid Waste Management and Recycling) and add Sunnyvale Municipal Code Chapter 16.74 (Construction and Demolition Diversion); Introduce an Ordinance to Amend Sunnyvale Municipal Code Section 19.38.030 (Recycling and Solid Waste Facilities) and Section 19.37.060 (General Planting, Soil Management and Water Feature Design Requirements); Adopt a Resolution to Amend the Master Fee Schedule to add Fines and Penalties for Violations of Chapter 8.16 and 16.74; Find that the Action Is Exempt from California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Sections 15061(b)(3) and 15308 of the CEQA Guidelines

Solid Waste Division Manager David Krueger provided the staff report and presentation.

Public Hearing opened at 8:50 p.m.

No speakers.

Public Hearing closed at 8:50 p.m.

MOTION: Councilmember Fong moved and Councilmember Cisneros seconded the motion to approve Alternatives 1, 2, 3, and 4:

1. Introduce an Ordinance repealing and re-adopting Sunnyvale Municipal Code Chapter 8.16 (Solid Waste Management and Recycling) and adopt Municipal Code Chapter 16.74 (Construction and Demolition Diversion);
2. Introduce an Ordinance to amend Sunnyvale Municipal Code Sections 19.38.030 (Recycling and Solid Waste Facilities) and 19.37.060 (General Planting, Soil Management and Water Feature Design Requirements);
3. Adopt a Resolution to amend the Master Fee Schedule to add fines and penalties

for violations of Sunnyvale Municipal Code Chapters 8.16 and 16.74; and
4. Find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15308 and 15061(b)(3).

City Clerk David Carnahan read the Ordinance titles for the record.

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

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Din shared his attendance at a Santa Clara Valley Water Commission meeting.

NON-AGENDA ITEMS & COMMENTS

-Council

Councilmember Fong announced his resignation from the Sunnyvale City Council. He spoke towards serving Sunnyvale and acknowledged his colleagues for their contributions.

Councilmember Din thanked Councilmember Fong for his service to the Sunnyvale community and City Council.

Councilmember Cisneros shared her appreciation of Councilmember Fong and for the opportunity of serving alongside him.

-City Manager

City Manager Kent Steffens announced that the November 9th discussion topic related to single use plastics ordinance was rescheduled due to a recently adopted state law that included items proposed in the City's ordinance. He indicated staff is preparing a new draft ordinance for Council consideration.

Mr. Steffens shared details of the upcoming Special Council meeting including a discussion topic related to the process and timeline for filling the upcoming vacancy for Council Seat No. 3.

INFORMATION ONLY REPORTS/ITEMS

[21-0881](#) Tentative Council Meeting Agenda Calendar

[21-0702](#) Board/Commission Meeting Minutes

[21-0709](#) Information/Action Items

ADJOURNMENT

Mayor Klein adjourned the meeting at 9:00 p.m.