



City of Sunnyvale

Meeting Minutes - Draft City Council

Tuesday, April 6, 2021

5:00 PM

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

**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 Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the meeting was conducted telephonically.

Mayor Klein called the meeting to order at 5:00p.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 5:01 p.m.

No speakers.

Public Comment closed at 5:01 p.m.

Convene to Closed Session

A [21-0447](#) Closed Session held pursuant to California Government Code Section 54956.8: CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Potential Acquisition of land on 1100 block of
Manzano way, Sunnyvale, CA
Agency negotiator: Kent Steffens, City Manager; Chip Taylor,
Director of Public Works; and Sherine Nafie, City Property
Administrator
Negotiating parties: City and County of San Francisco, Owner
Under negotiation: Price and terms

Adjourn Special Meeting

Mayor Klein adjourned the meeting at 5:33 p.m.

5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)

Call to Order

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the meeting was conducted telephonically.

Mayor Klein called the meeting to order at 5:34 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 [21-0384](#) Impact on the Unhoused in Sunnyvale During the COVID-19
Pandemic

Housing Officer Jenny Carloni provided the staff report and presentation.

Public Comment opened at 6:31 p.m.

Marie Bernard, Executive Director, Sunnyvale Community Services (SCS) spoke towards the services offered by SCS during the past year. She requested the City consider funding a full-time position focused on issues and policies affecting homelessness.

Alec Vandenberg shared statistics related to the unhoused population in Santa Clara County. He encouraged Council to consider establishing a sanctioned encampment and supporting anti-displacement measures.

Rose spoke towards services provided by Helping Hands to the unhoused population.

A member of the public shared details related to Santa Clara County's point-in-time count and upcoming vaccination availability for the unhoused population. She shared opposition with solely relying on Santa Clara County for programs and services to the unhoused.

Coleen Hausler spoke towards a correlation with land-use decisions and lack of housing such as approving more projects that create jobs than projects that create housing.

Pratima Gupta communicated opposition to the City relying on Santa Clara County to provide programs and services to the unhoused.

Public Comment closed at 6:46 p.m.

Adjourn Special Meeting

Mayor Klein adjourned the meeting at 6:47 p.m.

7 P.M. COUNCIL MEETING

CALL TO ORDER

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, 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.

CLOSED SESSION REPORT

Vice Mayor Hendricks reported that Council met in Closed Session held pursuant to California Government Code Section 54956.8: CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property: Potential Acquisition of land on 1100 block of Manzano way, Sunnyvale, CA Agency negotiator: Kent Steffens, City Manager; Chip Taylor, Director of Public Works; and Sherine Nafie, City Property Administrator Negotiating parties: City and County of San Francisco, Owner Under negotiation: Price and terms; nothing to report.

SPECIAL ORDER OF THE DAY

C [21-0015](#) Ceremonial Oath of Office for Board and Commission Members

City Clerk David Carnahan administered the Ceremonial Oath of Office to incoming Board and Commission Members.

D [21-0346](#) Earth Month and Arbor Day Celebration

Mayor Klein read a proclamation in honor of Earth Month and Arbor Day.

E [21-0348](#) Recognition of Green Businesses

Mayor Klein read a proclamation in recognition of Green Businesses.

ORAL COMMUNICATIONS

Councilmember Fong announced details of COVID-19 testing availability at the Sunnyvale Murphy Park Building, testing availability via Santa Clara County and the current recruitment for various Boards and Commissions.

A member of the public spoke towards duplexes, triplexes and fourplexes in single-family zoned neighborhoods.

Helen Gettinger voiced support for addressing deficiencies such as water and sanitation for the unhoused population and establishing a sanctioned encampment in Sunnyvale.

Coleen Hausler shared details related to “pallet” homes which provide sleeping and storage accommodations.

CONSENT CALENDAR

MOTION: Vice Mayor Hendricks moved and Councilmember Din 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 [21-0423](#) Approve City Council Meeting Minutes of March 30, 2021

Approve the City Council Meeting Minutes of March 30, 2021 as submitted.

1.B [21-0240](#) 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 [21-0233](#) Approve the Downtown Sunnyvale Business Improvement
District Annual Report for Fiscal Year 2020/21; and Adopt the
Resolution of Intention to Levy and Collect Annual Assessment
and Reauthorize Business Improvement District for Fiscal Year
2021/22

Approve the Fiscal Year 2020/21 Business Improvement District (BID) Annual Report, adopt the Resolution of Intention to Levy and Collect an Assessment and

reauthorize the BID for Fiscal Year 2021/22, and schedule the public hearing for May 4, 2021.

- 1.D** [21-0403](#) Adopt a Resolution Authorizing the Finance Director to Renew a Business License Tax Data Exchange Agreement with the California Franchise Tax Board

Find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5) and adopt a Resolution authorizing the Finance Director to execute a reciprocal agreement with the California Franchise Tax Board for the exchange of business license tax data through December 31, 2023.

- 1.E** [21-0474](#) Adopt Uncodified Ordinance No. 3175-21 to repeal Ordinance No. 2898-09 and Designate Certain Streets in the Area of the Caltrain Station as Preferential Parking Zones

Adopt uncodified Ordinance No. 3175-21 to repeal Ordinance No. 2898-09 and designate certain streets in the area of the Caltrain Station as preferential parking zones.

- 1.F** [21-0473](#) Adopt Ordinance No. 3174-21 to amend Title 2 of the Sunnyvale Municipal Code to add Chapter 2.31 to Establish a Public Process for Redistricting

Adopt Ordinance No. 3174-21 to amend Title 2 of the Sunnyvale Municipal Code to add Chapter 2.31 to establish a public process for redistricting.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [21-0083](#) Direct Staff to Develop an Ordinance to Reduce Use of Single-Use Plastic Foodware and Condiment Containers and Return to City Council for Approval after Completion of CEQA Review

Environmental Programs Manager Karen Gissibl provided the staff report and presentation.

Public Hearing opened at 8:15 p.m.

Kristel Wickham voiced support for encouraging businesses to provide reusable options or switch to foodware that is Biodegradable Products Institute (BPI) certified.

Annabelle Law, Sunnyvale-Silicon Youth Climate Action Team member shared support for the Sustainability Commission's recommendations and opposition to single-use plastics.

Hunter McDivitt, Sunnyvale-Silicon Youth Climate Action Team Member communicated support for the Ordinance and a public outreach campaign.

Public Hearing closed at 8:22 p.m.

MOTION: Councilmember Din moved and Councilmember Melton seconded the motion to approve Alternative 2: Direct staff to develop an Ordinance to be implemented and phased in over three years to reduce the impacts of single-use plastic foodware and condiment containers, and return for City Council approval of the Ordinance after appropriate California Environmental Quality Act review, with a targeted Ordinance adoption date of September 2021:

- Phase 1: An opt-in requirement for foodware and condiment containers for online and take-out ordering from food service delivery vendors and restaurants, to take effect in September, 2021;
- Phase 2: Require food service businesses to provide customers with single-use plastic foodware and condiment containers only upon request, for in-store as well as take-out, to take effect in June 2023; and
- Direct staff to return to Council in late 2023 with a proposal that evaluates further recommendations for the program.

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 [21-0281](#) Receive and File the FY 2020/21 Third Quarter Budget Update
Finance Director Tim Kirby provided the staff report and presentation.

Public Hearing opened at 9:14 p.m.
No speakers.
Public Hearing closed at 9:14 p.m.

MOTION: Councilmember Melton moved and Councilmember Cisneros seconded the motion to approve Alternative 1: Receive and file the FY 2020/21 Third Quarter Budget Update.

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** [21-0003](#) Discussion and Direction Regarding Amendments to Sunnyvale Municipal Code Section 2.28.030 Related to In-Lieu Petitions for Publication Costs of City Council Candidate Statements

City Clerk David Carnahan provided the staff report.

Public Hearing opened at 9:25 p.m.

Martin Pyne spoke towards the number of voters in each district during the 2020 Election.

Public Hearing closed at 9:26 p.m.

MOTION: Vice Mayor Hendricks moved and Councilmember Din seconded the motion to direct staff to return with an ordinance implementing Alternative 1: Reducing the number of in-lieu signatures required for Council candidates in Districts 1-6 to obtain a full subsidy to 100 signatures and maintaining the partial subsidy component.

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** [21-0450](#) REQUEST FOR CONTINUANCE TO MAY 4, 2021
Introduce an Ordinance Making Minor Amendments to Chapters 19.18 (Residential Zoning Districts), 19.20 (Commercial Zoning Districts), and 19.79 (Accessory Dwelling Units) of the Sunnyvale Municipal Code and Amending Chapter 19.98 (General Procedures) of the Sunnyvale Municipal Code to Create a Procedure for Appealing Incompleteness Determinations, Adopt a Resolution to Amend the 2020/21 Citywide Fee Schedule Related to Appeals to Planning Commission, and Find that these Actions are Exempt from CEQA

Community Development Director Trudi Ryan provided the staff report.

Public Hearing opened at 9:47 p.m.

No speakers.

Public Hearing closed at 9:47 p.m.

MOTION: Councilmember Melton moved and Councilmember Larsson seconded the motion to open the public hearing and continue to the City Council meeting of May 4, 2021.

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

None.

NON-AGENDA ITEMS & COMMENTS

-Council

Councilmember Melton inquired about logistics for future Council meetings after the COVID-19 Pandemic. He shared details regarding Assembly Bill (AB) 703, specifically that if adopted AB 703 would allow for virtual meetings.

MOTION: Councilmember Melton moved and Councilmember Din seconded the motion to agendaize a discussion topic regarding AB 703 for the April 20, 2021 Council meeting.

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

Councilmember Melton shared details regarding Assembly Bill (AB) 1091 Santa Clara Valley Transportation Authority: board of directors. He voiced support for allowing Councilmembers an opportunity to provide feedback should staff prepare a letter regarding AB 1091.

Vice Mayor Hendricks discussed his role on the Valley Transportation Agency Board of Directors. He requested that colleagues preparing individual letters regarding AB 1091 first seek input from him.

Councilmember Fong inquired with staff about when employees will be returning from remote work to onsite work locations.

-City Manager

City Manager Kent Steffens announced that staff would be preparing an update regarding remote work including that a 30-day notice would be issued to employees when a return date is identified. Mr. Steffens indicated that a long-term work from home policy has been drafted and would be shared with bargaining units for feedback.

Mr. Steffens communicated that staff is considering equipment needs to allow for maximum flexibility of Council meetings in the new City Hall. He indicated there continue to be significant restrictions for indoor gatherings due to COVID-19 and staff would continue to monitor the public health orders. Amendments to State legislation regarding the Ralph M. Brown Act would determine if virtual meetings will be allowed in the future.

Mr. Steffens announced that the City joined the Government Alliance on Race and Equity (GARE) and as part of the membership he would be participating in an upcoming all-day training.

INFORMATION ONLY REPORTS/ITEMS

- [21-0424](#) Tentative Council Meeting Agenda Calendar
- [21-0425](#) Board/Commission Meeting Minutes
- [21-0426](#) Information/Action Items
- [21-0150](#) Board/Commission Resignation (Information Only)

ADJOURNMENT

Mayor Klein adjourned the meeting at 9:57 p.m.