



City of Sunnyvale

Meeting Minutes - Draft City Council

Tuesday, August 31, 2021

5:30 PM

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

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

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

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 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.

Study Session

A [21-0023](#) Recreation Administrative Pricing and Revenue Strategies

Superintendent of Recreation Services Damon Sparacino provided the staff report and presentation.

Public Hearing opened at 6:41 p.m.

No speakers.

Public Hearing closed at 6:41 p.m.

Adjourn Special Meeting

Mayor Klein adjourned the meeting at 6:42 p.m.

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.

SPECIAL ORDER OF THE DAY

B [21-0353](#) Library Card Sign-Up Month

Mayor Klein read a proclamation in honor of Library Card Sign-Up Month.

ORAL COMMUNICATIONS

Councilmember Fong shared details of COVID-19 vaccination availability via Santa Clara County Mobile Vaccinations.

Tim Oey, Silicon Valley Bicycle Coalition shared details of an upcoming Silicon Valley Bikes bicycling event.

Diana Crumedy shared details of an upcoming Mountain View-Sunnyvale group ride bicycling event.

A member of the public spoke towards the number of deceased unhoused individuals in Santa Clara County and voiced support for continuing the Sunnyvale hotel program throughout the winter.

Rose communicated support for continuing the Sunnyvale hotel program through the end of winter.

Stacy Cobb spoke towards her experience with the Sunnyvale hotel program and shared support for extending the program.

Leticia spoke towards her experience as an unhoused individual and inquired on the hotel placement process.

Alyssa shared support for continuing and extending the hotel program to the unhoused population.

Mike spoke towards his experience with the hotel program and requested Council consider extending the program.

A member of the public shared his experience with the hotel program.

Alec Vandenberg voiced support for continuing the hotel program and shared details of funding opportunities via the United States Department of Housing and Urban Development.

City Manager Kent Steffens provided an update on the occupancy agreement with Travel Inn, including that the County of Santa Clara is assuming the program effective August 31 with a 30-day extension of the program.

CONSENT CALENDAR

Councilmember Fong stated his vote would be a recusal on Item 1.L.

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

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 [21-0050](#) Approve City Council Meeting Minutes of August 10, 2021
Approve the City Council Meeting Minutes of August 10, 2021 as submitted.

1.B [21-0051](#) Approve City Council Meeting Minutes of August 17, 2021
(Board and Commission Interviews)
Approve the City Council Meeting Minutes of August 17, 2021 as submitted.

1.C [21-0255](#) 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 [21-0800](#) Approve Budget Modification No. 5 in the Amount of \$500,000
to Provide Reimbursable Grant Funding for the 2023-2031
Housing Element, Village Centers Master Precise Plan, and
Santa Clara County Planning Collaborative
Approve Budget Modification No. 5 in the amount of \$500,000 for planning
consultant services for the preparation of the 2023-2031 Housing Element of the
General Plan; planning consultant services and staff time for the preparation of the
Village Centers Master Precise Plan; and planning consultant services for the Santa
Clara County Planning Collaborative.

1.E [21-0787](#) Award of Contract to Spencon Construction, Inc. for the
Concrete Sidewalk, Curb, Gutter and Driveway Approaches
2021 Project (PW21-07), Finding of California Environmental
Quality Act (CEQA) Categorical Exemption, and Approve
Budget Modification No. 7

Take the following actions:

- Make a finding of categorical exemption from the California Environmental Quality

Act (CEQA) pursuant to CEQA Guidelines Section 15301(c);

- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$655,993 to Spencon Construction, Inc. of San Ramon;
- Approve Budget Modification No. 7 in the amount of \$99,000 to provide additional project funding;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Approve a 10% construction contingency in the amount of \$65,599.

1.F [21-0838](#) Authorize Amending an Existing Contract with Carollo Engineers, Inc. for the Sunnyvale Cleanwater Program Plant Rehabilitation Project for Engineering Design Services (F22-006)

Take the following actions:

- Authorize the City Manager to execute the First Amendment to an existing contract with Carollo Engineers, Inc., in substantially the same format as Attachment 1 to the report, increasing the not-to-exceed contract amount by \$946,582 for a new not-to-exceed contract amount of \$8,399,192; and
- Approve an additional contingency for the Carollo Engineers, Inc. contract in the amount of \$347,604.20 for a new contingency amount of \$1,079,176.20.

1.G [21-0795](#) Appoint Kirk Vartan and Nate Williams to the NOVA Workforce Board

Appoint Kirk Vartan and Nate Williams to the NOVA Workforce Board.

1.H [21-0777](#) 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.I [21-0661](#) Adopt a Resolution to Endorse the 2020-2025 Santa Clara County Community Plan to End Homelessness

Adopt a Resolution to endorse the 2020-2025 Santa Clara County Community Plan to End Homelessness.

1.J [21-0818](#) Adopt a Resolution Amending the Classification Plan and the City's Salary Resolution to Add the Classification of Equity, Access, and Inclusion Manager and Update the Schedule of Pay to include the new classification and a Part Time Deputy

City Clerk

Adopt a Resolution amending the Classification Plan and the City's Salary Resolution to add the classification of Equity, Access, and Inclusion Manager and update the Schedule of Pay to include the new classification and a Part-time Deputy City Clerk.

1.K [21-0842](#) Adopt a Long-term Advocacy Position (LAP) Related to Governor Gavin Newsom's Executive Order N-08-21

Approve a new long-term advocacy position as presented: "Urge the Governor to extend Executive Order N-08-21 and any other issued executive orders and to issue new executive orders as necessary, to continue to help Sunnyvale respond to, recover from, or mitigate the impacts of the COVID-19 pandemic."

1.L [21-0854](#) Adopt a Long-term Advocacy Position (LAP) Related to the County of Santa Clara Supervisorial Districts that Represent the City of San Jose

MOTION: Vice Mayor Hendricks moved and Councilmember Din seconded the motion to approve a new long-term advocacy position as presented: "Urge the Santa Clara County Board of Supervisors to draw supervisorial districts as a numerical representation of the City of San Jose's population so that the number of County supervisors representing San Jose does not exceed three County supervisors."

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Hendricks
Councilmember Larsson
Councilmember Melton
Councilmember Cisneros
Councilmember Din

No: 0

Recused: 1 - Councilmember Fong

1.M [21-0841](#) Adopt Ordinance No. 3180-21 to Amend Section 2.28.030 of Title 2 (Administration and Personnel) of the Sunnyvale Municipal Code to Reduce the Number of Signatures Required for District Council Candidates Submitting In-Lieu Petitions for City-Paid Publication Costs of City Council Candidate

Statements

Adopt Ordinance No. 3180-21 to amend Section 2.28.020 of Title 2 (Administration and Personnel) of the Sunnyvale Municipal Code to reduce the number of signatures required for district Council candidates submitting in-lieu petitions for City-paid publication costs of City Council candidate statements.

PUBLIC HEARINGS/GENERAL BUSINESS

2 [21-0863](#) Resolution in Support of People in Afghanistan

Deputy City Manager Jacqui Guzmán provided the staff report.

Public Hearing opened at 7:36 p.m.

Richard Mehlinger voiced support for the Resolution and requested Council consider adding a statement that Afghan refugees are welcome in Sunnyvale.

Harris Mojadedi communicated support for the Resolution and including a statement that refugees are welcome in Sunnyvale.

Dr. Meghan Fraley shared support for the Resolution.

Public Hearing closed at 7:41 p.m.

MOTION: Councilmember Din moved and Councilmember Larsson seconded the motion to approve Alternative 2: Adopt a Resolution in Support of People in Afghanistan, with the following modifications:

- Replace “Islamic laws” to “their laws” in clause three (3) and four (4) of the Resolution (Attachment 1 to the report); and
- Include in the final clause of the Resolution that “Sunnyvale declares that refugees are welcome in our community.”

FRIENDLY AMENDMENT: Councilmember Melton offered friendly amendments to:

- Revise clause three (3) to read “the Taliban has a history of being a repressive regime with gross human rights violations based on their law...”;
- Revise clause four (4) to read “...condoning violent punishments for any perceived transgressions against their law...”; and
- Revise final clause to read “...Sunnyvale declares Afghan refugees are welcome in

our city...”

Councilmember Din and Councilmember Larsson accepted the friendly amendments.

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** [21-0072](#) Review Data Collected for the Temporary Eastbound Tasman Drive Lane Closure During COVID-19 Pandemic and Consider Whether to Extend the Lane Closure as Employees Begin to Return to Workplace

Transportation and Traffic Manager Dennis Ng provided the staff report and presentation.

Public Hearing opened at 8:42 p.m.

Leia Mehlman communicated support for extending the Tasman Drive lane closure until the study is completed or until traffic volume reaches 80% of the pre-COVID-19 Pandemic level, whichever occurs first.

Tim Oey voiced support for extending the Tasman Drive lane closure until the study is concluded and spoke towards benefits of the closure.

Ari Feinsmith shared a presentation related to the benefits of preserving the Tasman Drive lane closure and requested Council approve Alternative 2.

Richard Mehlinger urged Council to adopt Alternative 2 or to extend the Tasman Drive lane closure until the study is completed.

Mike Serrone on behalf of the Board of Livable Sunnyvale communicated support for extending the temporary pedestrian lane until the completion of the Tasman

Drive Study Issue.

Mark Hlady voiced support for Alternative 2.

Cal Cornwell shared support for extending the Tasman Drive lane closure.

Jason Feinsmith communicated support for extending the closure of the Tasman Drive lane until traffic volumes reach 80% of the pre-COVID-19 Pandemic level.

Caleb Sanders voiced support for extending the Tasman Drive lane closure until the study is completed.

Angela Rausch requested Council extend the lane closure while the study is being conducted.

Peri Baloun urged Council to extend the Tasman Drive lane closure until the study is completed.

Daniel Howard spoke towards research by the American Automobile Association related to pedestrian fatalities and shared support for extending the Tasman Drive lane closure or consider reducing the speed limit on Tasman Drive to 25 miles per hour.

Public Hearing closed at 9:12 p.m.

MOTION: Councilmember Din moved and Councilmember Melton seconded the motion to approve Alternative 2: Direct staff to continue to maintain the temporary eastbound lane closure on Tasman Drive between Fair Oaks Avenue and Vienna Drive for a City Council defined period, establish a transportation trigger of 720 vehicles per hour for the restoration of the eastbound for vehicular traffic and approve Budget Modification No. 4 to fund the maintenance of the temporary lane closure for a Council determined number of months at a cost of \$3,227 per month.

FRIENDLY AMENDMENT: Councilmember Melton offered a friendly amendment to establish a defined period of 12-months. Councilmember Din accepted the friendly amendment.

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

- 4** [21-0659](#) Remove On-Street Parking for the Northbound Direction on Willow Avenue between Reed Avenue and Aster Avenue and to Install Class IIB Buffered Bicycle Lane on Both Sides of the Street Per the Active Transportation Plan and Find That This Action is Exempt from the California Environmental Quality Act

Principal Transportation Engineer Lillian Tsang provided the staff report and presentation.

Public Hearing opened at 10:03 p.m.

Richard Mehlinger, Bicycle and Pedestrian Advisory Commission Chair shared the Commission's recommendations and support for Alternative 1.

Public Hearing closed at 10:05 p.m.

MOTION: Councilmember Melton moved and Councilmember Cisneros seconded the motion to approve Alternative 1: Remove on-street parking for the northbound direction on Willow Avenue between Reed Avenue and Aster Avenue and to install Class IIB Buffered Bicycle Lane on both sides of the street per the Active Transportation Plan and find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (c).

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** [21-0162](#) Appoint Applicants to the Bicycle and Pedestrian Advisory Commission and the Heritage Preservation Commission

Deputy City Clerk Sandra Barajas provided the staff report.

Public Hearing opened at 10:10 p.m.

No speakers.

Public Hearing closed at 10:10 p.m.

Deputy City Clerk Sandra Barajas conducted random order roll call votes, tallied the votes and reported the results as follows:

Bicycle and Pedestrian Advisory Commission – Category Two (1 vacancy)

Ulrich (Alex) Bonne

Vote: 6-0-1 (Abstention by Vice Mayor Hendricks)

Ronald Kundich

Vote: 0-0-7 (Abstentions by all Councilmembers)

Ulrich (Alex) Bonne was appointed to the Bicycle and Pedestrian Advisory Commission to serve a term expiring 6/30/2022.

Heritage Preservation Commission (1 vacancy)

Sarosh Patel

Vote: 6-0-1 (Abstention by Vice Mayor Hendricks)

Sarosh Patel was appointed to the Heritage Preservation Commission to serve a term expiring 6/30/2024.

- 6** [21-0737](#) Approve the Purchase and Sale Agreement Between the City of Sunnyvale and Edward W. and Kathryn A. Woodhall Trust for the Purchase of 970 W. Evelyn Avenue (APN: 165-20-017) and Approve Budget Modification No. 6 in the Amount of \$8,580,000

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

Public Hearing opened at 10:25 p.m.

No speakers.

Public Hearing closed at 10:25 p.m.

MOTION: Councilmember Melton moved and Councilmember Din seconded the motion to approve Alternative 1: Authorize the City Manager to execute the Purchase and Sale Agreement, in substantially the same form as Attachment 1 to the report, and any other necessary documents for the purchase of real property located at 970 W. Evelyn Avenue for \$8,500,000, approve Budget Modification No. 6 in the amount of \$8,580,000 and sign any lease documents to transfer the lease to the City or extend it until the project starts and direct that the property not be used for the purposes of the Mary Avenue grade separation until California Environmental Quality Act (CEQA) review for that project has been completed and the project is approved in compliance with CEQA.

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 Fong shared his attendance at the Valley Transportation Authority (VTA) Policy Advisory Committee meeting including the Committee's recommendation for the Board of Directors to adopt the Tasman Drive and Bascom Avenue Complete Streets Corridor Studies.

Vice Mayor Hendricks reported that VTA has resumed some light rail operations and will continue to expand services to additional lines gradually.

Councilmember Cisneros shared her attendance at the Caltrain Modernization Local Policy Maker Group including updates regarding fare changes and discounts, additional service lines and restoration of baby bullet service.

Councilmember Din provided an update on Valley Water's rebate program for water conservation.

NON-AGENDA ITEMS & COMMENTS

-Council

Councilmember Fong inquired with staff about funding for unhoused programs via Project Homekey and the status of projects that were backlogged, such as micromobility, due to the COVID-19 Pandemic.

City Manager Kent Steffens communicated that staff is reviewing the Project Homekey grant cycle and researching potential sites in Sunnyvale.

Mr. Steffens provided an update on the micromobility program including review of the program during the current fiscal year.

-City Manager

None.

INFORMATION ONLY REPORTS/ITEMS

- [21-0176](#) Tentative Council Meeting Agenda Calendar
- [21-0720](#) Board/Commission Meeting Minutes
- [21-0786](#) Information/Action Items
- [21-0839](#) Board/Commission Resignation (Information Only)

ADJOURNMENT

Mayor Klein adjourned the meeting at 10:40 p.m.