



City of Sunnyvale

Meeting Minutes City Council

Tuesday, February 6, 2024

5:00 PM

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

**Special Meeting: Closed Session - 5 PM | Special Meeting: Study Session - 6 PM |
Regular Meeting - 7 PM**

5 P.M. SPECIAL COUNCIL MEETING (Closed Session)

Call to Order

Vice Mayor Srinivasan called the meeting to order at 5:02 p.m.

Roll Call

Present: 6 - Mayor Larry Klein
Vice Mayor Murali Srinivasan
Councilmember Russ Melton
Councilmember Alysa Cisneros
Councilmember Richard Mehlinger
Councilmember Linda Sell
Absent: 1 - Councilmember Omar Din

Public Comment

Public Comment opened at 5:06 p.m.

No speakers.

Public Comment closed at 5:06 p.m.

Convene to Closed Session

Council convened to Closed Session in the Council Conference Room at 5:07 p.m.

A [24-0227](#) Closed Session held pursuant to California Government Code
Section 54957:
PUBLIC EMPLOYEE APPOINTMENT
Title: City Attorney

Adjourn Special Meeting

Vice Mayor Srinivasan adjourned the meeting at 6:00 p.m.

6 P.M. SPECIAL COUNCIL MEETING (Study Session)**Call to Order**

Vice Mayor Srinivasan called the meeting to order at 6:07 p.m.

Roll Call

Present: 6 - Mayor Larry Klein
Vice Mayor Murali Srinivasan
Councilmember Russ Melton
Councilmember Alysa Cisneros
Councilmember Richard Mehlinger
Councilmember Linda Sell
Absent: 1 - Councilmember Omar Din

Study Session

B [24-0226](#) Update Regarding the Levine Act (California Government Code 84308)

Interim City Attorney Rebecca Moon provided the staff report and presentation.

Public Comment opened at 7:00 p.m.

No speakers.

Public Comment closed at 7:00 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 7:06 p.m.

SALUTE TO THE FLAG

Mayor Klein led the salute to the United States flag.

ROLL CALL

Present: 6 - Mayor Larry Klein
Vice Mayor Murali Srinivasan
Councilmember Russ Melton
Councilmember Alysa Cisneros
Councilmember Richard Mehlinger
Councilmember Linda Sell

Absent: 1 - Councilmember Omar Din

CLOSED SESSION REPORT

Vice Mayor Srinivasan reported that Council met in Closed Session held pursuant to California Government Code Section 54957: Public Employee Appointment Title: City Attorney; nothing to report.

SPECIAL ORDER OF THE DAY

C [24-0087](#) SPECIAL ORDER OF THE DAY - Black History Month

Mayor Klein spoke in honor of Black History Month.

Jeremiah Lineberger, Development Associate, African American Community Service Agency (AACSA), provided words in honor of Black History Month.

Leesa Riviere, Housing and Human Services Commissioner, spoke in honor of Black History Month.

ORAL COMMUNICATIONS

Vice Mayor Srinivasan announced an upcoming Drive Electric Event and Sustainability Speaker Series webinar.

Alison De Geus spoke in support of Study Issue DPW 24-08 Explore the Feasibility of Converting the PG&E Lots Facing Ramona Avenue, Lois Avenue, and/or Dona Avenue into an Open Green Space Linear Park for the Community.

Andrea Wald shared their support for prioritizing Study Issue ESD 24-01 Evaluate the Use of Artificial Turf versus Living Groundcover.

Cortney Jansen communicated their concerns with the ongoing litigation between San Francisco Bay Keeper and the City of Sunnyvale and spoke in support for study issues ESD 24-01 and DPW 24-08.

CONSENT CALENDAR

Mayor Klein pulled agenda item 1.G for separate consideration.

Councilmember Mehlinger pulled agenda item 1.F for separate consideration.

Public Comment opened at 7:30 p.m.

No speakers.

Public Comment closed at 7:30 p.m.

MOTION: Vice Mayor Srinivasan moved and Councilmember Melton seconded the motion to approve agenda items 1.A through 1.E. and 1.H through 1.I.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Sell

No: 0

Absent: 1 - Councilmember Din

1.A [24-0071](#) Approve City Council Meeting Minutes of December 12, 2023

Approve the City Council Meeting Minutes of December 12, 2023 as submitted.

1.B [24-0079](#) Approve City Council Meeting Minutes of January 9, 2024

Approve the City Council Meeting Minutes of January 9, 2024 as submitted.

1.C [24-0014](#) 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 [24-0016](#) Accept Fiscal Year 2023/24 Transportation Development Act
Article 3 Funding in the Amount of \$160,000, and Approve
Budget Modification No. 12 to Appropriate the Grant Funding
to Fund a New Project - Install Sidewalk on Poplar Avenue

Accept Fiscal Year 2023/24 Transportation Development Act Article 3 Funding in
the amount of \$160,000 from the Metropolitan Transportation Commission and

approve Budget Modification No. 12 to appropriate \$160,000 to fund a new project, Install Sidewalk on Poplar Avenue.

- 1.E** [24-0150](#) Award of Six (6) Temporary Personnel Service Agreements
Totaling \$2,200,000 for On-Call Temporary Staffing Services
for Plan Check, Inspections and Permitting Support Staff
Services for Community Development (F23-168)

Take the following actions:

- Award six (6) three-year Temporary Personnel Service Agreements to the following firms:
 - 4Leaf, Inc. with a contract amount not to exceed \$400,000;
 - BPR Consulting Group, Inc. with a contract amount not to exceed \$400,000;
 - CSG Consultants, Inc. with a contract amount not to exceed \$400,000;
 - Shums Coda Associates, Inc. (SCA) with a contract amount not to exceed \$400,000;
 - TRB & Associates Inc. with a contract amount not to exceed \$400,000; and
 - Interwest, Inc. with a contract amount not to exceed \$200,000 in substantially the formats shown in Attachments 1 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 two (2) additional one-year periods, subject to available budget, need and if pricing and services remain acceptable to the City.

- 1.F** [24-0186](#) Amend an Existing Contract in the Amount to \$419,916 with
Solitude Lake Management LLC, DBA Aquatic Environments
for On-Call Maintenance of Vegetation for the Water Pollution
Control Plant Ponds (F23-09) for a New Not-to-Exceed amount
of \$839,832

Public Hearing opened at 7:36 p.m.

No speakers.

Public Hearing closed at 7:36 p.m.

MOTION: Councilmember Mehlinger moved and Councilmember Melton seconded the motion to take the following actions:

- Authorize the City Manager to execute the first Amendment in substantially the same form as Attachment 2 to the report, to an existing Service Agreement with Solitude Lake Management LLC, DBA: Aquatic Environments; and
- Authorize the City Manager to amend the not-to-exceed amount and to extend the

contract for three (3) additional one-year periods, subject to available budget and if pricing and services remain acceptable to the City.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Vice Mayor Srinivasan
Councilmember Sell

No: 0

Absent: 1 - Councilmember Din

1.G [24-0284](#) Review the City's 2024 Code of Ethics and Conduct for
Elected and Appointed Officials

Public Hearing opened at 7:43p.m.

No speakers.

Public Hearing closed at 7:43 p.m.

MOTION: Vice Mayor Srinivasan moved and Councilmember Melton seconded the motion to reaffirm the 2024 Code of Ethics and Conduct for Elected and Appointed Officials with no changes from the January 9, 2024 Code as set forth in Attachment 1 to the report and direct staff to return with additional language relating to the Public Disruptions section at a future date.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Sell

No: 0

Absent: 1 - Councilmember Din

1.H [24-0285](#) Approve 2024 Board and Commission Annual Work Plans

Approve the 2024 Work Plans as submitted.

- 1.I [24-0301](#) Adopt Ordinance No. 3223-24 to add By-Right Approvals (Chapter 19.73) to the Sunnyvale Municipal Code, Designate Parcels Subject to By-Right Approval, and Make Related Amendments to Chapters 19.12 (Definitions), Zoning Districts and Specific Plan Districts - Areas, Residential (19.18), Commercial (19.20), Office and Public Facilities (19.24), Downtown Specific Plan (19.28), Moffett Park Specific Plan (19.29), Lawrence Station Area Plan (19.35), El Camino Real Specific Plan (19.36), Inclusionary Below Market Rate Ownership Housing Program (19.67), and Miscellaneous Plan Permit (19.82)

Adopt Ordinance No. 3223-24 to add By-Right Approvals (Chapter 19.73) to the Sunnyvale Municipal Code, designate parcels subject to By-Right Approval, and make related amendments to Chapters 19.12 (Definitions), Zoning Districts and Specific Plan Districts - Areas, Residential (19.18), Commercial (19.20), Office and Public Facilities (19.24), Downtown Specific Plan (19.28), Moffett Park Specific Plan (19.29), Lawrence Station Area Plan (19.35), El Camino Real Specific Plan (19.36), Inclusionary Below Market Rate Ownership Housing Program (19.67), and Miscellaneous Plan Permit (19.82).

PUBLIC HEARINGS/GENERAL BUSINESS

- 2 [24-0069](#) Introduce an Ordinance to Amend Section 16.62.330 (Installation of Manufactured Homes section within the Floodplain Management Chapter) of Chapter 16.62 (Floodplain Management) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Sections 15268 and 15308 and Public Resources Code Section 21080(b)(1)

Assistant Director of Public Works Jennifer Ng provided the staff report.

Public Hearing opened at 7:48 p.m.

No speakers.

Public Hearing closed at 7:48 p.m.

MOTION: Councilmember Melton moved and Councilmember Mehlinger seconded the motion to approve Alternative 1: Find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections

15268 and 15308 and Public Resources Code Section 21080(b)(1); and introduce an Ordinance to amend Section 16.62.330 (Installation of Manufactured Homes section within the Floodplain Management Chapter) of Chapter 16.62 (Floodplain Management) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code (Attachment 1 to the report).

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Sell

No: 0

Absent: 1 - Councilmember Din

3 [24-0255](#) Adopt Positions on State and Local Ballot Measures for the
March 5, 2024 Election

Senior Management Analyst Michelle Zahraie provided the staff report.

Public Hearing opened at 7:54 p.m.

Peggy Shen Brewster advocated for City Council to take a position of support for Measure C Sunnyvale School District School Bonds.

Michael Gallagher, Superintendent, Sunnyvale School District, voiced their advocacy for City Council taking a position of support for Measure C.

Public Hearing closed at 7:58 p.m.

MOTION: Councilmember Mehlinger moved and Councilmember Melton seconded the motion to adopt a position of SUPPORT - Measure C - Sunnyvale School District School Bonds.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Sell

No: 0

Absent: 1 - Councilmember Din

MOTION: Councilmember Mehlinger moved and Councilmember Cisneros seconded the motion to TAKE NO POSITION - Proposition 1 - Authorizes \$6.38 Billion in Bonds to Build Mental Health Treatment Facilities for Those With Mental Health and Substance Use Challenges; Provides Housing for the Homeless. Legislative Statute.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Sell

No: 0

Absent: 1 - Councilmember Din

4 [24-0230](#) Adopt a Resolution Amending the City's Salary Resolution and the Schedule of Pay to Increase the Salary Range for the Director of NOVA Workforce Services

Director of Human Resources Tina Murphy provided the staff report.

Public Hearing opened at 8:17 p.m.

No speakers.

Public Hearing closed at 8:17 p.m.

MOTION: Councilmember Cisneros moved and Councilmember Mehlinger seconded the motion to approve Alternative 1: Adopt a Resolution amending the

City's Salary Resolution and Schedule of Pay to increase the Salary Range for the Director of NOVA Workforce Services.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Sell

No: 0

Absent: 1 - Councilmember Din

- 5** [24-0282](#) Adopt a Resolution and Approve an Amendment to Housing Assistance Agreement for City Manager Kent Steffens
Extending the Home Loan Repayment Term

City Manager Kent Steffens recused themselves due to a conflict of interest – employment compensation.

Director of Human Resources Tina Murphy provided the staff report.

Public Hearing opened at 8:31 p.m.

No speakers.

Public Hearing closed at 8:31 p.m.

MOTION: Councilmember Sell moved and Councilmember Mehlinger seconded the motion to approve Alternative 1: Adopt a Resolution and approve an Amendment to the Housing Assistance Agreement for City Manager Kent Steffens extending the home loan repayment term from six (6) months to the number of months equal to the number of his full years of service.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Srinivasan
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Sell

No: 0

Absent: 1 - Councilmember Din

City Manager Kent Steffens returned to the meeting at 8:35 p.m.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Vice Mayor Srinivasan reported on the National League of Cities IT & Communication Committee meeting.

NON-AGENDA ITEMS & COMMENTS

-Council

Councilmember Mehlinger proposed the idea of agendizing a study issue on ambulance response times to emergency calls.

Councilmember Melton shared their support for agendizing a study issue to examine paramedic services in Sunnyvale.

MOTION TO AGENDIZE: Councilmember Melton moved and Councilmember Sell seconded the motion to agendize adding a statement to the Council Policy Manual that no new artificial turf fields be installed on City property.

The motion carried with the following vote:

Yes: 0

No: 0

Absent: 1 - Councilmember Din

Councilmember Sell shared their experience attending the Lunar New Year celebrations at the Sunnyvale Library.

Mayor Klein shared their experience attending the Lunar New Year celebrations at the Sunnyvale Library.

Vice Mayor Srinivasan shared their experience at the Lunar New Year celebrations and Science, Technology, Engineering, and Math (STEM) week program event at

the Sunnyvale Library.

-City Manager

City Manager Kent Steffens provided an update on the City's response to the recent storm.

INFORMATION ONLY REPORTS/ITEMS

- | | |
|--------------------------------|---|
| <u>24-0165</u> | Tentative Council Meeting Agenda Calendar |
| <u>24-0187</u> | Board/Commission Meeting Minutes |
| <u>24-0188</u> | Information/Action Items |
| <u>24-0278</u> | Mayoral Announcement of Mayoral Appointment of Councilmembers to Intergovernmental Assignments (Information Only) |

ADJOURNMENT

Mayor Klein adjourned the meeting at 8:54 p.m.