



City of Sunnyvale

Meeting Minutes City Council

Tuesday, May 7, 2019

5:00 PM

Council Chambers and West Conference
Room, City Hall, 456 W. Olive Ave.,
Sunnyvale, CA 94086

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

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

Vice Mayor Melton announced the item for Closed Session and invited any members of the public to make public comments before the meeting.

1 Call to Order in the West Conference Room

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

2 Roll Call

Present: 7 - Mayor Larry Klein
Vice Mayor Russ Melton
Councilmember Gustav Larsson
Councilmember Glenn Hendricks
Councilmember Nancy Smith
Councilmember Michael S. Goldman
Councilmember Mason Fong

3 Public Comment

None.

4 Convene to Closed Session

[19-0272](#)

Closed Session held pursuant to California Government Code Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Tina Murphy, Director of Human Resources; Kent Steffens, City Manager

Employee organization: Sunnyvale Managers Association (SMA) and Sunnyvale Employees Association (SEA)

5 Adjourn Special Meeting

Vice Mayor Melton adjourned the meeting at 5:51 p.m.

6 P.M. SPECIAL COUNCIL MEETING

1 Call to Order in the Council Chambers

Mayor Klein called the meeting to order.

2 Roll Call

Present: 7 - Mayor Larry Klein
Vice Mayor Russ Melton
Councilmember Gustav Larsson
Councilmember Glenn Hendricks
Councilmember Nancy Smith
Councilmember Michael S. Goldman
Councilmember Mason Fong

3 Public Comment

None.

4 Special Orders of the Day

[19-0198](#) SPECIAL ORDER OF THE DAY - 2019 Earth Day Video and
Poster Contest Winners
Location: Council Chambers

Mayor Klein and Nupur Hiremath, Environmental Programs Manager, recognized the 2019 Earth Day Video and Poster Contest Winners.

[19-0199](#) SPECIAL ORDER OF THE DAY - Recognition of Green
Businesses

Mayor Klein and Alyssa Rice-Wilson, Zero Waste Coordinator, presented awards in recognition of Green Businesses.

5 Adjourn Special Meeting

Mayor Klein adjourned the meeting at 6:25 p.m.

7 P.M. COUNCIL MEETING

CALL TO ORDER

Mayor Klein called the meeting to order at 7:01 p.m.

SALUTE TO THE FLAG**ROLL CALL**

Present: 7 - Mayor Larry Klein
Vice Mayor Russ Melton
Councilmember Gustav Larsson
Councilmember Glenn Hendricks
Councilmember Nancy Smith
Councilmember Michael S. Goldman
Councilmember Mason Fong

CLOSED SESSION REPORT

Vice Mayor Melton reported the 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; Kent Steffens. City Manager Employee organization: Sunnyvale Managers Association (SMA) and Sunnyvale Employees Association (SEA); nothing to report.

SPECIAL ORDER OF THE DAY

[19-0525](#) SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office for Board and Commission Members

Bonnie Filipovic, Administrative Aide administered the Oath of Office to Personnel Board Member Victor Marsh.

At this time Council heard Special Orders of the Day for Teen Awareness Month and Older Americans Month concurrently.

[19-0312](#) SPECIAL ORDER OF THE DAY - Teen Awareness Month

[19-0313](#) SPECIAL ORDER OF THE DAY - Older Americans Month

Mayor Klein presented proclamations to Senior Center volunteers and the Teen Advisory Group declaring the month of May 2019 as Older Americans Month and National Teen Self-Esteem Month in the City of Sunnyvale.

[19-0472](#) SPECIAL ORDER OF THE DAY - Affordable Housing Week

Mayor Klein presented a proclamation in recognition of Affordable Housing Week to Kathy Thibodeaux, founder of KM Thibodeaux Consulting LLC and Board Member of SV@Home.

ORAL COMMUNICATIONS

Serge Rudaz spoke regarding increasing gender and economic diversity on the City Council and potential transition to a "4+3" district-based electoral system.

Janette Brambila, Charlene Tan, and Yaneth Sarceno spoke regarding Sunnyvale Community Services' Community Leader/Promotoras de la Comunidad program that provides training and opportunities to low-income families.

Richard Mehlinger invited the City Council to the Silicon Valley PRIDE Picnic on June 8, 2019.

Kevin Jackson shared that Bike to Work Day is scheduled for May 9, 2019 and encouraged those with long commutes to pair bicycling with public transit.

Kristel Wickham spoke regarding Reach Codes, that prioritize electric usage over natural gas usage for buildings and vehicles.

Tara Martin-Milius encouraged the City Council to adopt Reach Codes with an emphasis on rewards rather than punishments to encourage compliance.

CONSENT CALENDAR

Zarchy Kaufman requested Item 1.F be pulled.

MOTION: Vice Mayor Melton moved and Councilmember Larsson seconded the motion to approve the Consent Calendar Items 1.A through 1.E.

Motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Melton
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman
Councilmember Fong

No: 0

1.A [19-0492](#) Approve City Council Meeting Minutes of April 23, 2019

Approve the City Council Meeting Minutes of April 23, 2019 as submitted.

- 1.B** [19-0330](#) 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** [19-0196](#) Authorize the Issuance of Purchase Orders to Canon Financial Services, Inc. and Canon Solutions of America, Inc. for the Lease and Maintenance of Multifunction Devices (MFDs) (F19-045)

Take the following actions:

- Authorize the issuance of a three-year blanket purchase order to Canon Financial Services, Inc. for the lease of MFDs in an amount not to exceed \$300,367, in substantially the same form as Attachment 2 to the report and in accordance with the State of California Participating Addendum to the NASPO contract;
- Authorize the issuance of a three-year purchase order to Canon Solutions of America, Inc. for the maintenance of MFDs in an amount not to exceed \$138,829, and authorize the City Manager to renew the purchase order for two additional one-year terms provided that price and service is acceptable, in substantially the same form as Attachment 3 to the report and in accordance with the State of California Participating Addendum to the NASPO contract.

- 1.D** [19-0370](#) Award of a Maintenance and Repair Contract to CEN-PAC Engineering, Inc. for the Removal and Installation of Light Emitting Diode Traffic Signal Modules (F19-119) and Finding of California Environmental Quality Act (CEQA) Categorical Exemption

Take the following actions:

- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$121,570 to CEN-PAC Engineering, Inc.,
- Authorize the City Manager to execute the contract when all necessary conditions have been met,
- Make a finding of a CEQA categorical exemption pursuant to CEQA Guidelines Section 15301 for the repair, maintenance or minor alteration of existing public or private structures, facilities or mechanical equipment involving negligible or no expansion of use beyond that which presently exists,
- Approve a 10% contract contingency in the amount of \$12,157.

- 1.E** [19-0436](#) Award of Contract to Advance Design Consultants, Inc. for Public Safety Facility Emergency Generator Replacement (F19-111)

Take the following actions:

- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$251,880 to Advance Design Consultants, Inc.,
- Authorize the City Manager to execute the contract when all necessary conditions have been met, and
- Approve of a 10% contingency in the amount of \$25,200.

- 1.F** [19-0526](#) Adopt Ordinance No. 3145-19 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone certain property located at 1 AMD Place (APN Numbers 205-22-024 and 205-22-025) and 975 Stewart Drive (APN 205-22-028) from MS Industrial-to-Residential R3 (MS/ITR-R3) and MS Industrial-to-Residential R4 (MS/ITR-R4) to Medium Density Residential/ Planned Development (R-3/PD), High Density Residential/Planned Development (R-4/PD), and Public Facilities (PF)

Public Hearing opened at 7:30 p.m.

Zachary Kaufman spoke regarding errata clarifications presented at the April 23, 2019 Council meeting.

Public Hearing closed at 7:33 p.m.

MOTION: Vice Mayor Melton moved and Councilmember Larsson seconded the motion to approve Item 1.F to Adopt Ordinance No. 3145-19.

Yes: 7 - Mayor Klein
Vice Mayor Melton
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman
Councilmember Fong

No: 0

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [19-0220](#) Public Hearing to Adopt a Resolution Confirming the Annual Report to Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District (BID) for Fiscal Year 2019/2020

Connie Verceles, Assistant to the City Manager provided the staff report.

Mike Johnson, Executive Director Sunnyvale Downtown Association shared a number of events sponsored by the Association.

Public Hearing opened at 7:39 p.m.

No speakers.

Public Hearing closed at 7:39 p.m.

MOTION: Vice Mayor Melton moved and Councilmember Hendricks seconded the motion to approve Alternative 1: Adopt the Resolution to Confirm the Annual Report and Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District for Fiscal Year 2019/20.

Yes: 7 - Mayor Klein
 Vice Mayor Melton
 Councilmember Larsson
 Councilmember Hendricks
 Councilmember Smith
 Councilmember Goldman
 Councilmember Fong

No: 0

- 3** [19-0454](#) Approve Changes to Council Policy 1.1.10 to Update Use Regulations Regarding Storing Outdoor Dining Furniture on Sidewalks on the 100 Block of South Murphy Avenue (Study Issue OCM 17-01) and Finding of Exemption from the California Environmental Quality Act

Lupita Alamos, Senior Management Analyst provided the staff report and presentation.

Public Hearing opened at 7:55 p.m.

Mike Johnson, Executive Director Sunnyvale Downtown Association shared the Association's support of Option 2.

Public Hearing closed at 7:59 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Smith seconded the motion to approve Alternatives 1 and 4: 1. Approve the proposed changes to Council Policy 1.1.10 Use of the Public Sidewalk on the 100 Block of South Murphy Avenue (Attachment 3) and as described in Option 2 in Attachment 1 of the report and direct staff to return in one year for reconsideration of the policy; and, 4. Make the finding that the action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(a).

Yes: 7 - Mayor Klein
Vice Mayor Melton
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman
Councilmember Fong

No: 0

4 [19-0510](#) Approve Draft 2019 Housing and Urban Development (HUD)
Action Plan

Jenny Carloni, Housing Officer provided the staff report.

Public Hearing opened at 8:13 p.m.

Jordan Dancer, Grants Manager, Next Door Solutions to Domestic Violence described the services offered by her organization and shared her appreciation of the City's funding for the organization.

Chris Anderson, Program Manager, Downtown Streets Team described the services offered by his organization and statistics of program outcomes. He shared his appreciation of the City's support of Downtown Streets Team.

Marie Bernard, Executive Director, Sunnyvale Community Services shared the appreciation of her organization for the City's funding for Sunnyvale Community Services and Downtown Streets Team.

Pilar Furlong, Chief Community Resources Officer, Bill Wilson Center described the services offered by the Bill Wilson Center and shared the organization's

appreciation for the City's support.

Public Hearing closed at 8:25 p.m.

MOTION: Councilmember Fong moved and Councilmember Hendricks seconded the motion to approve Alternative 1: Approve the 2019 Action Plan as shown in Attachment 2 of the report.

Yes: 7 - Mayor Klein
Vice Mayor Melton
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman
Councilmember Fong

No: 0

- 5** [19-0437](#) Green Building Program Update: Adopt a Resolution to Update the Green Building Program for Residential Projects, Nonresidential Projects, and Public Facilities, and Find that the Action is Exempt from CEQA Pursuant to CEQA Guidelines Sections 15308, 15061(b)(3), and 15378(b).

Amber Blinzinski, Principal Planner provided the staff report and presentation.

Public Hearing opened at 9:52 p.m.

Richard Mehlinger shared his appreciation of the staff work and proposed program; he stated that it may be more appropriate to continue some level of incentives for households that do not fully convert to electric only service until Reach Codes are implemented.

Scott Shell, Principal, EEDD Architects shared his support of the proposed program and promoted the concept of constructing natural gas-free buildings. He requested the City's support in advocating for Reach Codes with the California Public Utilities Commission.

Public Hearing closed at 9:57 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Smith seconded the motion to approve Alternative 1: Adopt a Resolution (Attachment 2 to the report)

to Update the Green Building Program for Residential Projects, Nonresidential Projects, and Public Facilities and Find that the Action is Exempt from California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Sections 15308, 15061(b)(3), and 1538(b).

FORMAL AMENDMENT: Vice Mayor Melton moved and Councilmember Goldman seconded the motion to remove the incentive of 120 points with the BuildIt Green Certification Program.

The formal amendment failed by the following vote:

Yes: 2 - Vice Mayor Melton
Councilmember Goldman

No: 5 - Mayor Klein
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Fong

The main motion carried by the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Melton
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman
Councilmember Fong

No: 0

- 6 [19-0463](#) Discussion and Possible Action to Modify or Confirm the Structure and Function of the Council Subcommittee to Discuss Items of Mutual Interest with Local School Districts (2x2 Subcommittee)

Kent Steffens, City Manager provided the staff report .

Public hearing opened at 11:17 p.m.

Zachary Kaufman voiced his support of continuing 2x2 subcommittees, stating the

subcommittees promote public engagement and transparency.

Public hearing closed at 11:18 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Larsson seconded the motion to approve dissolving the 2x2 subcommittees.

Yes: 5 - Mayor Klein
Councilmember Larsson
Councilmember Hendricks
Councilmember Goldman
Councilmember Fong

No: 2 - Vice Mayor Melton
Councilmember Smith

MOTION: Vice Mayor Melton moved and Councilmember Hendricks seconded the motion to approve extending the meeting beyond 11:30pm.

Yes: 7 - Mayor Klein
Vice Mayor Melton
Councilmember Larsson
Councilmember Hendricks
Councilmember Smith
Councilmember Goldman
Councilmember Fong

No: 0

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Larsson reported his attendance at the Calaveras Dam Replacement Project completion celebration. He noted the Calaveras Reservoir, along with two other local reservoirs provide a 3-month reserve of water for the area.

Councilmember Smith shared her attendance at the April 25 Caltrain Modernization (CalMod) Local Policy Makers Group meeting where the topics of the Caltrain Business Plan and grade separations were discussed. The following day she attended a Silicon Valley Clean Energy (SVCE) board meeting. SVCE and other Community Choice Aggregation (CCA) providers are working on joint purchase

agreements to obtain lower rates.

NON-AGENDA ITEMS & COMMENTS

-Council

Councilmember Fong shared his appreciation for the Mayor's comments regarding the recent April 23 El Camino injury incident and the Department of Public Safety's handling of this, and numerous other incidents in the past few weeks.

Councilmember Smith announced that she is organizing the May League of California Cities Peninsula Division meeting. She encouraged her colleagues to attend. The topic is 5G wireless.

-City Manager

Kent Steffens, City Manager shared his appreciation for Bonnie Filipovic, Administrative Aide's service as the Clerk for this Council Meeting.

INFORMATION ONLY REPORTS/ITEMS

[19-0467](#) Tentative Council Meeting Agenda Calendar

[19-0468](#) Information/Action Items

ADJOURNMENT

Mayor Klein adjourned the meeting at 11:43 p.m.