



# City of Sunnyvale

## Meeting Minutes City Council

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Tuesday, December 10, 2019

6:00 PM

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

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**Special Meeting: Study Session - 6 PM | Regular Meeting - 7 PM**  
**Special Joint Meeting of the City Council and the Sunnyvale Financing Authority - 7 PM**  
**(or as soon thereafter as the matter may be heard)**

### **6 P.M. SPECIAL COUNCIL MEETING (Study Session)**

#### **1 Call to Order in the West Conference Room (Open to the Public)**

Vice Mayor Melton called the meeting to order at 6:00 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

Vice Mayor Melton announced Council will hear agenda item 3-Public Comment after agenda item 4-Study Session.

#### **4 Study Session**

[19-1078](#) Review Results of Workforce Initiative That Creates  
Partnerships to Develop a Pipeline for Students to Enter Public  
Sector Employment (Study Issue)

Human Resources Director Tina Murphy provided the staff report and presentation.

#### **3 Public Comment**

Public Comment opened at 6:50 p.m.  
No speakers.

Public Comment closed at 6:50 p.m.

## **5 Adjourn Special Meeting**

Vice Mayor Melton adjourned the meeting at 6:50 p.m.

## **7 P.M. COUNCIL MEETING**

### **CALL TO ORDER**

Mayor Klein called the meeting to order at 7:00 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

### **ORAL COMMUNICATIONS**

Councilmember Larsson announced details of the upcoming minimum wage increase in Sunnyvale.

Sue Serrone, Arts Commissioner announced winners of the Library Art Contest.

Vickie Fairchild communicated details of improvements to the intersection of Poplar Avenue and El Camino Real and a request for additional paid crossing guards at the intersection.

James Tuleya shared details of a Massachusetts Medical Society report detailing health risks of indoor natural gas cooking.

Rivka Scheinkman voiced support for additional paid crossing guards near Peterson Middle School.

Russel Gottfried communicated concerns regarding liability for the City regarding the intersection of Poplar Avenue and El Camino Real.

Angela Quizon President, Peterson Middle School Parent Teacher Student Association shared support for paid crossing guards near Peterson Middle School.

Gary Latshaw voiced concerns for children's safety at school crossings. He communicated support for implementing Reach Codes.

### **CONSENT CALENDAR**

Councilmember Goldman pulled agenda item 1.H for separate consideration.

Vice Mayor Melton moved and Councilmember Larsson seconded the motion to approve Items 1.A through 1.G and 1.I through 1.K.

The 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**     [19-0228](#)     Approve City Council Meeting Minutes of December 3, 2019

Approve the City Council Meeting Minutes of December 3, 2019 as submitted.

**1.B**     [19-0999](#)     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**     [19-1188](#)     Adopt a Resolution Amending the City's Salary Resolution and the Schedule of Pay to (1) Update Pay Rates for Casual Employee Classifications to Reflect the January 1, 2020 Sunnyvale Minimum Wage, and the Councilmember and Mayoral Stipend Amount; (2) Implement Minor Administrative Changes to the Salary Resolution and Schedule of Pay; (3) Add a new System Code to the Intern Classification to Allow for Seasonal Interns; and (4) Add a new Classification of Management Fellow.

Adopt a Resolution Amending the City's Salary Resolution and the Schedule of Pay to:

- Update pay rates for Casual Employee classifications to reflect the January 1, 2020 Sunnyvale minimum wage, and the Councilmember and Mayoral Council Stipend Amount;
- Implement minor administrative changes to the Salary Resolution and Schedule of Pay;
- Add a new System Code to the Casual Intern classification to allow for Seasonal Interns; and
- Add a new classification of Management Fellow.

- 1.D**      [19-1094](#)      Receive and File the FY 2018/19 Annual Status Report on Receipt and Use of Development Impact Fees and Adopt a Resolution Approving Findings Regarding Unspent Impact Fees (Exempt from CEQA pursuant to Section 15378(b)(4) of the CEQA Guidelines)

Receive and file the FY 2018/19 Annual Status Report on receipt and use of development impact fees and adopt a Resolution making findings regarding unspent impact fees as required by the Mitigation Fee Act (California Government Code Section 66000 et seq.).

- 1.E**      [19-0901](#)      Award of Contract to MNS Engineers, Inc. for Design Services for the Sanitary Sewer Main Replacement 2019 Project (F19-201)

Take the following actions:

- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$644,678 to MNS Engineers, Inc.;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Approve a 10% contingency in the amount of \$64,468.

- 1.F**      [19-1108](#)      Award of Contract to Peterson Power Systems, Inc. for On-Call Engine Maintenance and Repair (F19-177)

Take the following actions:

- Award an on-call contract to provide on-call engine maintenance and repair services for Water Pollution Control Plant with a contract amount not to exceed \$500,000 in substantially the same form as Attachment 2 to the report;
- Authorize the City Manager to execute the agreement when all conditions have been met; and

- Authorize the City Manager to increase the not-to-exceed contract amount within budget appropriation.

- 1.G**      [19-1236](#)      Authorize the Issuance of a Blanket Purchase Order to Insight, Inc. for Cisco Smartnet and FlexNet Support and Maintenance (F20-040)

Take the following actions:

- Authorize the issuance of a three (3) year Blanket Purchase Order to Insight, Inc. for Cisco SmartNet and FlexNet support in substantially the same form as Attachment 2 to the report, in an amount not-to-exceed \$561,359; and
- Authorize the City Manager to amend and renew the blanket purchase order for four (4) additional one-year periods, not-to-exceed budgeted amounts, if pricing and service remain acceptable to the City.

- 1.H**      [19-1211](#)      Authorize the Issuance of a Purchase Order to Folsom Lake Ford for Sixteen (16) 2020 Ford Police Interceptor Hybrid Sport Utility Vehicles (F20-091)

Public Works Director Chip Taylor provided the staff report.

Public Hearing opened at 7:27 p.m.

No speakers.

Public Hearing closed at 7:27 p.m.

MOTION: Vice Mayor Melton moved and Councilmember Larsson seconded the motion to authorize the issuance of a Purchase Order to Folsom Lake Ford of Folsom, CA in the amount of \$723,494.80 (including tire, documentation fees, and delivery fees) excluding \$64,777.98 in sales tax, for fourteen (14) Marked 2020 Ford Police Interceptor Hybrid Sport Utility Vehicles (SUVs) and two (2) Unmarked 2020 Ford Police Interceptor Hybrid SUVs for the Department of Public Safety.

The 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.I**      [19-1144](#)      Modify a Purchase Order with Otis Elevator Company for Elevator Repairs (F20-063)

Authorize the City Manager to amend the existing Blanket Purchase Order with Otis Elevator Company for elevator repairs, increasing the not-to-exceed amount by \$44,000 for a new total not-to-exceed amount of \$139,000 and extend the termination date until December 31, 2019.

- 1.J**      [19-1214](#)      Authorize the City Manager or His Designee to Execute a Small Cell License Agreement with GTE Mobilnet of California Limited Partnership, dba Verizon Wireless, Delegate Authority for Term Extensions, and Find the Project Categorically Exempt under CEQA

Authorize the City Manager or designee to execute a Small Cell License Agreement, in substantially the same form as in Attachment 1 to the report; extend the term for two (2) additional five (5) year terms; and make a finding that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15302 and 15303.

- 1.K**      [19-0680](#)      Adopt Ordinance No. 3152-19 to amend Title 2 of the Sunnyvale Municipal Code

Adopt ordinance 3152-19.

#### **PUBLIC HEARINGS/GENERAL BUSINESS**

- 2**      [19-0231](#)      Appoint Applicants to the Board of Building Code Appeals, the Heritage Preservation Commission and the Housing and Human Services Commission

Public Hearing opened at 7:29 p.m.

Tara Martin-Milius spoke in support of appointing Linda Sell to the Housing and Human Services Commission (HHS).

James Tuleya voiced support for the appointment of Linda Sell to HHS.

Mike Serrone communicated support for appointing Linda Sell to HHS.

Public Hearing closed at 7:31 p.m.

City Clerk David Carnahan conducted paper ballot votes, tallied the votes and reported the results as follows:

Ballot 1

Board of Building Code Appeals  
(2 vacancies)

Applicant: Yasaman Hakami (3rd preference)  
Vote: 0-0-7 (Abstentions by all Councilmembers)

Applicant: Rahul Jain (1st preference)  
Vote: 4-0-3 (Abstentions by Mayor Klein, Vice Mayor Melton and Councilmember Hendricks)

Applicant: Adam Kroll (only preference)  
Vote: 6-0-1 (Abstention by Councilmember Goldman)

Applicant: Linda Sell (2nd preference)  
Vote: 3-0-4 (Abstentions by Mayor Klein and Councilmembers Hendricks, Goldman and Fong)

Rahul Jain and Adam Kroll were appointed to the Board of Building Code Appeals to serve terms expiring 6/30/2023.

Heritage Preservation Commission  
(1 vacancy)

Applicant: Yasaman Hakami (2nd preference)  
Vote: 4-0-3 (Abstentions by Mayor Klein, Vice Mayor Melton and Councilmember Hendricks)

Yasaman Hakami was appointed to the Heritage Preservation Commission to serve a term expiring 6/30/2020.

Housing and Human Services Commission

Applicant: Hubert (Coy) Byron III (only preference)

Vote: 3-0-4 (Abstentions by Councilmembers Larsson, Hendricks, Goldman and Fong)

Applicant: Yasaman Hakami (1st preference)

Vote: 1-0-6 (Abstentions by Mayor Klein, Vice Mayor Melton and Councilmembers Larsson, Hendricks, Smith and Goldman)

Applicant: Rahul Jain (2nd preference)

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

Applicant: Michelle Manassau (only preference)

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

Applicant: Linda Sell (1st preference)

Vote: 6-0-1 (Abstention by Councilmember Fong)

Linda Sell was appointed to the Housing and Human Services Commission to serve a term expiring 6/30/2022.

**3**      [18-0416](#)      Eco-district Feasibility and Incentives (Study Issue ESD 13-05C)

Regulatory Programs Division Manager Melody Tovar provided the staff report and presentation.

Public Hearing opened at 8:01 p.m.

Linda Sell voiced support for EcoDistricts and the inclusion of environmental concerns in project planning.

Tara Martin-Milius communicated support for an EcoDistrict for the Moffett Park Specific Plan and for EcoDistricts and similar planning tools in general.

Mike Serrone shared support for Alternative 1 and other environmental protection measures.

Sue Serrone voiced support for studying an EcoDistrict for the Moffett Park Specific Plan.

James Tuleya communicated support for Alternative 1 and incorporating livable and



sustainable elements in project planning.

Public Hearing closed at 8:15 p.m.

MOTION: Vice Mayor Melton moved and Councilmember Hendricks seconded the motion to accept the staff report on eco-district feasibility and incentives and staff findings that a broad EcoDistrict program is not required.

FRIENDLY AMENDMENT: Councilmember Larsson offered a friendly amendment to add to the Motion, “and, direct staff to evaluate the feasibility of identifying and potentially certifying the Moffett Park Specific Plan as an EcoDistrict.”

Vice Mayor Melton accepted the friendly amendment.

The amended motion carried with the following vote:

**Yes:** 6 - Mayor Klein  
Vice Mayor Melton  
Councilmember Larsson  
Councilmember Smith  
Councilmember Goldman  
Councilmember Fong

**No:** 1 - Councilmember Hendricks

- 4      [19-1018](#)      Award of Contract to Casper Airport Solutions, Inc. for Airplane Noise Monitoring System and Approve Budget Modification No. 14 in the Amount \$258,792 (F20-014)

Finance Director Tim Kirby provided the staff report.

Public Hearing opened at 9:06 p.m.

Jennifer Tasseff voiced support for postponing contract approval and additional public discussion before approval.

Public Hearing closed at 9:09 p.m.

MOTION: Councilmember Hendricks moved and Vice Mayor Melton seconded the motion to approve Alternative 1:

- Award a contract to Casper Airport Solutions, Inc. for a Noise Monitoring System, in substantially the same form as Attachment 1 to the report, in the amount of

\$235,265;

- Authorize the City Manager to execute the contract when all necessary conditions have been met;
- Authorize the City Manager to amend the contract within budget appropriation;
- Approve Budget Modification No. 14 in the amount of \$258,792; and
- Approve a 10% contingency in the amount of \$23,527.

The motion carried with the following vote:

**Yes:** 4 - Mayor Klein  
Vice Mayor Melton  
Councilmember Larsson  
Councilmember Hendricks

**No:** 2 - Councilmember Smith  
Councilmember Goldman

**Abstain:** 1 - Councilmember Fong

- 5**      [19-0991](#)      Approve Draft 2019 Housing and Urban Development (HUD)  
Amended Action Plan

Housing Officer Jenny Carloni provided the staff report.

Public Hearing opened at 9:31 p.m.

Marie Bernard, Executive Director, Sunnyvale Community Services (SCS) shared details of SCS services and support for Alternative 1.

Public Hearing closed at 9:33 p.m.

MOTION: Councilmember Hendricks moved and Councilmember Smith seconded the motion to approve Alternative 1: Approve the 2019 HUD Amended Action Plan as shown in Attachment 3 to the report.

The 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**

Council took a recess at 9:35 p.m. and reconvened with all Councilmembers present at 9:47 p.m.

**ADJOURNMENT TO SPECIAL JOINT MEETING OF THE CITY COUNCIL AND SUNNYVALE FINANCING AUTHORITY**

**CALL TO ORDER**

Authority Chair / Mayor Klein called the Sunnyvale Financing Authority meeting to order 9:47 p.m.

**ROLL CALL**

Present: 7

Authority Chair / Mayor Larry Klein  
Authority Vice Chair / Vice Mayor Russ Melton  
Authority Member / Councilmember Gustav Larsson  
Authority Member / Councilmember Glenn Hendricks  
Authority Member / Councilmember Nancy Smith  
Authority Member / Councilmember Michael S. Goldman  
Authority Member / Councilmember Mason Fong

**PUBLIC COMMENT (ON SPECIAL MEETING ITEMS ONLY)**

None.

**CONSENT CALENDAR**

MOTION: Authority Vice Chair / Vice Mayor Melton and Authority Member / Councilmember Larsson seconded the motion to approve Item 6.A

The motion carried by the following vote:

Yes: 7

Authority Chair / Mayor Klein  
Authority Vice Chair / Vice Chair Melton  
Authority Member / Councilmember Larsson  
Authority Member / Councilmember Hendricks  
Authority Member / Councilmember Smith  
Authority Member / Councilmember Goldman  
Authority Member / Councilmember Fong

No: 0

- 6.A**     [19-0795](#)     Approve Joint City Council and Sunnyvale Financing Authority Meeting Minutes of June 25, 2019

Approve the Joint City Council and Sunnyvale Financing Authority Meeting Minutes of June 25, 2019 as submitted.

**GENERAL BUSINESS**

- 7**         [19-0781](#)     Receive and File the FY 2018/19 Budgetary Year-End Financial Report, Comprehensive Annual Financial Report (CAFR), the Sunnyvale Financing Authority Financial Report, Agreed Upon Procedure Reports, the Report to the City Council Issued by the Independent Auditors, and Approve Budget Modification No. 13

Finance Director Tim Kirby provided the staff report.

Public Hearing opened at 10:42 p.m.

No speakers.

Public Hearing closed at 10:42 p.m.

City Council:

MOTION: Vice Mayor Melton moved and Councilmember Smith seconded the motion to approve Alternative 1: Receive and file the budgetary Year-End Financial Report, the audited Comprehensive Annual Financial Report, Agreed Upon Procedure Reports and the Report to the City Council issued by the independent auditors, and approve Budget Modification No. 13.

The 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**

Sunnyvale Financing Authority:

MOTION: Authority Vice Chair Melton moved and Authority Member Smith seconded the motion to approve Alternative 1: Receive and file the Sunnyvale Financing Authority Financial Report.

The motion carried with the following vote:

Yes: 7

Authority Chair Klein  
Authority Vice Chair Melton  
Authority Member Larsson  
Authority Member Hendricks  
Authority Member Smith  
Authority Member Goldman  
Authority Member Fong

No: 0

### **ADJOURN SPECIAL MEETING**

Authority Chair / Mayor Klein adjourned the Sunnyvale Financing Authority meeting at 10:49 p.m.

### **RECONVENE TO CITY COUNCIL MEETING**

Mayor Klein reconvened the City Council meeting at 10:49 p.m.

### **PUBLIC HEARINGS/GENERAL BUSINESS - CONTINUED**

- 8      [19-1249](#)      Adopt an Urgency Interim Ordinance and Introduce an Ordinance Amending Title 19 (Zoning) of the Sunnyvale Municipal Code related to new State Legislation on Accessory Dwelling Units and Find that the Action is Exempt from the California Environmental Quality Act

Principal Planner Amber Blizinski provided the staff report and presentation.

Public Hearing opened at 11:23 p.m.

Steve Scandalis shared concerns regarding short setbacks and support for prohibiting short term rentals in all accessory dwelling units.

Public Hearing closed at 11:26 p.m.

MOTION: Vice Mayor Melton moved and Councilmember Larsson seconded the motion to approve Alternative 1: Find that the Action is Exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resource Code Section 21080.017 and does not constitute a “project” within the meaning of the CEQA pursuant to CEQA Guidelines Section 15061(b)(3) and adopt an Urgency Interim Ordinance (Attachment 2 to the report) and introduce an Ordinance (Attachment 3 to the report) amending Title 19 (Zoning) of the Sunnyvale Municipal Code related to new state legislation on accessory dwelling units.

The 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

MOTION: Vice Mayor Melton moved and Councilmember Larsson seconded the motion to hear the remainder of the agenda.

The 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

### **COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

Councilmember Smith shared details from Silicon Valley Clean Energy's Sunnyvale Clean Energy Accomplishments Report and the League of California Cities priorities for the coming year.

Councilmember Hendricks announced the Santa Clara Valley Transportation Authority Board elected him Vice Chair for 2020.

### **NON-AGENDA ITEMS & COMMENTS**

#### **-Council**

Councilmember Fong commented on his first year serving as a Councilmember.

#### **-City Manager**

City Manager Kent Steffens shared details of Information Only Item 19-1160 Contracting Background Investigation for Department of Public Safety Recruitment and Hiring.

### **INFORMATION ONLY REPORTS/ITEMS**

<a href="#"><u>19-0762</u></a>	Tentative Council Meeting Agenda Calendar
<a href="#"><u>19-0810</u></a>	Board/Commission Meeting Minutes
<a href="#"><u>19-1014</u></a>	Information/Action Items
<a href="#"><u>19-1160</u></a>	Contracting Background Investigation for Department of Public Safety Recruitment and Hiring (Information Only)
<a href="#"><u>19-1026</u></a>	Local Appointments List - Maddy Act (Information Only)

[19-1260](#)

Mayoral Announcement of Mayor-Appointed Ad Hoc Advisory Committee on City Manager and City Attorney Compensation (Information Only)

**ADJOURNMENT**

Mayor Klein adjourned the meeting at 11:38 p.m.