



City of Sunnyvale

Meeting Minutes City Council

Tuesday, February 4, 2020

5:00 PM

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

**Special Meeting: Closed Session - 5:00 P.M. | Special Meeting: Study Session - 5:30 PM |
Regular Meeting - 7 PM**

5:00 P.M. SPECIAL COUNCIL MEETING (Closed Session)

1 Call to Order in the West Conference Room

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

2 Roll Call

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

3 Public Comment

None.

4 Convene to Closed Session

[20-0277](#)

Closed Session held pursuant to California Government Code
Section 54956.9: CONFERENCE WITH LEGAL
COUNSEL-ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) or
(3) of subdivision (d) of Section 54956.9: Related to Notice of
Clean Water Act Violations sent by San Francisco Baykeeper

5 Adjourn Special Meeting

Vice Mayor Smith adjourned the meeting at 5:32 p.m.

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

1 Call to Order in the Council Chambers

Vice Mayor Smith called the meeting to order at 5:36 p.m.

2 Roll Call

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

3 Public Comment

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

4 Study Session

[20-0111](#) Housing Strategy (Study Issue)

Housing Officer Jenny Carloni, Community Development Director Trudi Ryan, and Matt Kowta, Managing Principal, BAE Urban Economics provided the staff report and presentation.

3 Public Comment

Public comment opened at 6:36 p.m.

Richard Mehlinger voiced support for the proposed recommendations. He encouraged eliminating the dwelling units per acre matrix.

Andrew Bielak, MidPen Housing voiced support for recommendations related to up-zoning land, increasing the inclusionary housing percentage, and senior/missing middle housing.

Gail Rubino, Golden State Manufactured-Home Owners League (GSMOL) Sunnyvale Chapter President voiced support for recommendations related to mobile home rent stabilization and Memorandums Of Understanding (MOU). She suggested that experts in these fields be hired.

Robert Stromberg, Destination Home shared information regarding homelessness

and rent burden issues. He encouraged prioritizing low-income affordable housing and permanent supportive housing.

Marie Bernard, Executive Director, Sunnyvale Community Services encouraged prioritizing low-income affordable housing.

Pat Sausedo, Building Industry Association (BAI) Bay Area commented on the ownership inclusionary housing percentage. She stated that there is a need for a reduction in costs associated with market rate developments.

Dennis Martin, BAI Bay Area shared information about housing constructions costs in the area. He recommended a housing feasibility study on constructions costs be conducted. He also recommended revenue accounts be reviewed as a possible measure to assist with affordable housing supply.

Doris Maez spoke on various topics such as rent stabilization ordinances and mobile home rent stabilization.

Mike Serrone shared support for strategies like house sharing, room sharing and internal accessory dwelling units.

Sue Serrone spoke on various topics such as the housing crisis, homelessness and employee retention.

Tara Martin-Milius voiced support for the proposed recommendations.

Travis Duncan encouraged focusing on increasing density near transit locations, options for combining inclusionary housing with stand-alone affordable housing projects on the same parcel, and parking issues.

Julia Liu shared support for accessory dwelling units.

Public Comment closed at 7:03 p.m.

5 Adjourn Special Meeting

Vice Mayor Smith adjourned the meeting at 7:03 p.m.

7 P.M. COUNCIL MEETING

CALL TO ORDER

Mayor Klein called the meeting to order at 7:10 p.m.

SALUTE TO THE FLAG

ROLL CALL

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

CLOSED SESSION REPORT

Vice Mayor Smith reported that Council met in Closed Session held pursuant to California Government Code Section 54956.9: CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: Related to Notice of Clean Water Act Violations sent by San Francisco Baykeeper; nothing to report.

SPECIAL ORDER OF THE DAY

[20-0240](#) SPECIAL ORDER OF THE DAY - Slavery and Human Trafficking Prevention Month

Mayor Klein presented a proclamation in honor of Slavery and Human Trafficking Prevention Month to Public Safety Chief Phan Ngo.

[20-0266](#) SPECIAL ORDER OF THE DAY - African American History Month

Mayor Klein presented a proclamation in honor of African American History Month to Milan Balinton, Executive Director, African American Community Services Agency.

ORAL COMMUNICATIONS

Councilmember Hendricks announced details of the upcoming Plaza del Sol Community Outreach Meeting.

Richard Mehlinger, Chair, Bicycle and Pedestrian Advisory Commission (BPAC) spoke regarding BPAC's rationale and ranking of study issues.

Krissy, Juliet and Viola, Girl Scouts Troop 61201 requested Council consider

removal of oleander plants from the Sunnyvale Library grounds.

Holly Lofgren voiced concerns regarding a directly elected at-large mayor and a recent utility bill insert regarding district based elections.

Tara Martin-Milius communicated support of Reach Codes incentives to assist with early adoption and implementation of all-electric utilities.

Larry Alba voiced concern regarding a recent mailer from the City regarding Measure B. He requested the measure be removed from the ballot.

CONSENT CALENDAR

Councilmember Fong moved and Vice Mayor Smith seconded the motion to approve Items 1.A through 1.H and 1.J through 1.K.

The motion carried with the following vote:

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

No: 0

1.A [20-0089](#) Approve City Council Meeting Minutes of January 14, 2020

Approve the City Council Meeting Minutes of January 14, 2020 as submitted.

1.B [20-0068](#) 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 [20-0180](#) Approve the Fiscal Year 2020/21 Sustainability Speaker Series

Approve the FY 2020/21 Sustainability Speaker Series topics as proposed by the Sustainability Commission, with the provisions that:

- Implementation of up to four events will be contingent on speaker availability, staffing resources, and available budget; and
- The Subcommittee will provide enhanced support to coordinate logistics for

speaker panels when proposed.

1.D [20-0193](#) Award of Contract to Superior, LLC for Hosted Utility Billing Software and Support (F-20-060)

Take the following actions:

- Award a five year contract to Superior LLC for hosted Utility Billing software and support in substantially the same form as Attachment 1 to the report, in an amount not to exceed \$497,306.81;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Authorize the City Manager to renew the contract for up to five additional years, based on acceptable pricing and service, and budget is available.

1.E [20-0167](#) Award of Contract to Mark Thomas for Professional Engineering Services for Design of the Java Drive Road Diet Project (F19-109)

Take the following actions:

- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$304,712 to Mark Thomas;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Approve a 10% contingency in the amount of \$30,471.

1.F [20-0169](#) Award of Contract to CSG Consultants, Inc. for Design Services for the Fair Oaks Avenue Bikeway - Phase 2 Project and Determination of Proposal Non-responsiveness (F19-236)

Take the following actions:

- Award a contract in substantially the same form as Attachment 1 to the report in the amount of \$254,703 to CSG Consultants, Inc.;
- Authorize the City Manager to execute the contract when all necessary conditions have been met;
- Approve a 10% contingency in the amount of \$25,470; and
- Make a determination that the proposal received from BKF Engineers is non responsive due to the proposer not submitting a required Caltrans Local Assistance Procedure Manual form.

1.G [19-1016](#) Authorize Amending an Existing Contract with Carollo Engineers, Inc. for the Sunnyvale Clean Water Program Secondary Treatment Thickening and Dewatering Project for

Engineering Design Services to incorporate Food to Energy Solutions (F20-088)

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 form as Attachment 1 to the report, increasing the not-to-exceed contract amount by \$1,217,192 for a new not-to-exceed contract amount of \$18,963,308; and
- Approve an additional contract contingency in the amount of \$441,822 for a new contingency amount of \$2,041,355.

1.H [20-0042](#) Approve 2020 Board and Commission Work Plans

Approve the 2020 Work Plans as submitted.

1.I [20-0147](#) Consider Establishing a Library Foundation (Study Issue LCS 19-01)

Library and Community Services Director Cherise Brandell provided the staff report.

Public Hearing opened at 7:44 p.m.

No speakers.

Public Hearing closed at 7:44 p.m.

Vice Mayor Smith moved and Councilmember Larsson seconded the motion to postpone establishing a Library Foundation until a new main library or major renovation of the main library is approved.

The motion carried with the following vote:

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

No: 0

1.J [20-0224](#) Approve a Memorandum of Understanding with Santa Clara County for Crime Laboratory Services Related to Department of Public Safety Major Cases

Authorize the City Manager to execute a Memorandum of Understanding between the City of Sunnyvale and Santa Clara County for services provided by Santa Clara County Crime Laboratory related to Department of Public Safety Major Cases, for a term of ten years commencing January 1, 2020.

- 1.K** [20-0255](#) Adopt Ordinance No. 3156-20 to renumber Chapter 19.77 (Accessory Dwelling Units) to Chapter 19.79 and make other associated changes to Title 19 of the Sunnyvale Municipal Code

Adopt Ordinance No. 3156-20.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2** [20-0171](#) Consider Funding the California Environmental Quality Act (CEQA) Environmental Review for the Orchard Heritage Park Museum Expansion and Approve Budget Modification Number 22 to Appropriate Funding for a New Project

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

Public Hearing opened at 7:53 p.m.

Laura Babcock, Founder and Volunteer Director, Heritage Museum shared her support of Alternatives 1 and 2.

Holly Lofgren shared her opposition of the City funding the California Environmental Quality Act (CEQA) environmental review.

Maria Hamilton shared her opposition of the City funding the CEQA environmental review.

Charles Olson shared his opposition of the City funding the CEQA environmental review and of the project.

Ethelita Wallace shared her opposition of the City funding the CEQA environmental review.

John Pitsch shared his opposition of the City funding the CEQA environmental review.

Mike Serrone shared his support of the project.

Richard Mehlinger shared his support of Alternatives 1 and 2.

Steve Scandalis shared his opposition of the City funding the CEQA environmental review.

Kenneth Cook shared his opposition of the City funding the CEQA environmental review.

Carol Holmgren shared her support of the project and of the City funding the CEQA environmental review.

Tara Martin-Milius shared her support of Alternatives 1 and 2.

Public Hearing closed at 8:17 p.m.

Councilmember Hendricks moved and Vice Mayor Smith seconded the motion to approve Alternative 2: Approve funding in the amount of \$36,894.00 to perform the environmental review (Initial Study and possibly a Mitigated Negative Declaration) for the Proposed Expansion of the Heritage Museum and approve funding the work from the Council Set Aside.

The motion failed with the following vote:

Yes: 3 - Vice Mayor Smith
Councilmember Hendricks
Councilmember Fong

No: 4 - Mayor Klein
Councilmember Larsson
Councilmember Melton
Councilmember Goldman

Councilmember Melton moved and Councilmember Larsson seconded the motion to approve Alternative 4: Do not provide funding for staff to procure a consultant to perform the environmental review or preparation of a technical memoranda and Categorical Exemption for the Proposed Expansion of the Heritage Museum and maintain Council's initial direction for Sunnyvale Historical Society and Museum Association to provide funding for the environmental review.

The motion carried with the following vote:

Yes: 5 - Mayor Klein
Vice Mayor Smith
Councilmember Larsson
Councilmember Melton
Councilmember Goldman

No: 1 - Councilmember Hendricks

Abstain: 1 - Councilmember Fong

3 [20-0104](#) Issuance of Request for Proposal for Solid Waste and Recycling Collection Services to Bay County Waste Services

Environmental Services Director Ramana Chinnakotla and Peter Deibler, Senior Manager, HF&H Consultants provided the staff report and presentation.

Public Hearing opened at 9:42 p.m.

Jerry Nabhan, Operations Officer, Bay County Waste Services spoke on various topics such as the company's natural gas fleet, station and commercial and multi-family food waste. He shared concerns regarding the six-week submittal of proposal due date. He voiced support of Alternative 1.

Public Hearing closed at 9:48 p.m.

Councilmember Melton moved and Vice Mayor Smith seconded the motion to approve Alternative 1: Approve the issuance of a Request for Proposal (RFP) package ("Mini RFP, Draft Agreement and Proposal Forms (Attachment 3, 4 and 5, to the report) to Bay Counties Waste Services, dba Specialty, Inc., (BCWS) for Solid Waste and Recycling Collection Services, with minor clarifying revisions based on Councilmember comments, such as revising the RFP schedule to provide BCWS with additional time to prepare and submit their proposal.

The motion carried with the following vote:

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

No: 0

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Larsson announced the Bay Area Water Supply and Conservation Agency Board elected him Vice Chair for 2020. He acknowledged that Sunnyvale Councilmembers currently serve as Chair or Vice Chair on four regional boards.

Councilmember Fong shared his attendance at a Santa Clara Valley Transportation Authority (VTA) Policy Advisory Committee meeting. The topic of the County Department of Public Health's county-wide education/encouragement activities strategy was discussed.

Vice Mayor Smith shared her attendance at the League of California Cities Housing, Community and Economic Development Policy Committee meeting. The topic of Senate Bill (SB) 50 was discussed. The Committee recommended 12-13 items for cities to consider to improve housing supply and reduce displacement. The Board will be reviewing the recommendations in February.

NON-AGENDA ITEMS & COMMENTS

-Council

Councilmember Hendricks inquired if City staff will address the request from the local Girl Scouts Troop to remove the oleander plants from the Sunnyvale Library grounds. City Manager Kent Steffens indicated staff will review the request.

Councilmember Melton acknowledged various public work projects taking place throughout Sunnyvale.

Councilmember Melton will be proposing an amendment to Council Policy Priority: Ability of Infrastructure to Support Development and Traffic to Incorporate Vision Zero, the Roadway Safety Plan and the Active Transportation Plan. He requested assistance from staff with developing policy language for the proposed amendment.

Councilmember Melton proposed a budget issue to add 10 sworn public safety officers over the next four years: two positions in Fiscal Year (FY) 2020/21; two positions in FY 2021/22; three positions in FY 2022/23; and three positions in FY 2023/24; Councilmember Goldman co-sponsored.

Councilmember Fong commented that hybrid trucks are scheduled to be released during calendar year 2020. He suggested electric vehicles such as the Ford F-150 be included in the fleet of the solid waste contract.

-City Manager

City Manager Kent Steffens announced details of the upcoming Council Strategic Planning Session and of Information Only Item 20-0162 Annual Review of New Laws.

INFORMATION ONLY REPORTS/ITEMS

- [20-0090](#) Tentative Council Meeting Agenda Calendar
- [20-0091](#) Board/Commission Meeting Minutes
- [20-0092](#) Information/Action Items
- [20-0150](#) Notice of Public Works Director's Decision on Final Maps (Information Only)
- [20-0044](#) Boards and Commissions Semi-Annual Attendance Report, July to December 2019 (Information Only)
- [20-0162](#) Annual Review of New Laws (Information Only)
- [20-0259](#) Study Session Summary of January 7, 2020 - Downtown Specific Plan Amendment Presentation.
- [20-0247](#) Study Session Summary of January 14, 2020 - New Legislation Related to Housing

ADJOURNMENT

Mayor Klein adjourned the meeting at 10:03 p.m.