



City of Sunnyvale

Meeting Minutes City Council

Tuesday, November 30, 2021

4:30 PM

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

**Special Meeting: Closed Session - 4:30 PM | Special Meeting: Study Session - 5:30 PM |
Regular Meeting - 7 PM**

4:30 P.M. SPECIAL COUNCIL MEETING (Closed Session)

Call to Order

Pursuant to Government Code Subdivision 54953(e), the meeting was conducted telephonically; pursuant to state law, the City Council made the necessary findings by adopting Resolution No. 1089-21, reaffirmed on November 16, 2021.

Mayor Klein called the meeting to order at 4:30 p.m. via teleconference.

Roll Call

Present: 6 - Mayor Larry Klein
Vice Mayor Glenn Hendricks
Councilmember Gustav Larsson
Councilmember Russ Melton
Councilmember Alysa Cisneros
Councilmember Omar Din

Mayor Klein, Vice Mayor Hendricks and all Councilmembers attended via teleconference.

Public Comment

Public Comment opened at 4:32 p.m.

No speakers.

Public Comment closed at 4:32 p.m.

Convene to Closed Session

A [21-0851](#) Closed Session Held Pursuant to California Government Code
Section 54957:
PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager and City Attorney

Adjourn Special Meeting

Mayor Klein adjourned the meeting at 5:14 p.m.

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

Call to Order

Pursuant to Government Code Subdivision 54953(e), the meeting was conducted telephonically; pursuant to state law, the City Council made the necessary findings by adopting Resolution No. 1089-21, reaffirmed on November 16, 2021.

Mayor Klein called the meeting to order at 5:30 p.m. via teleconference.

Roll Call

Present: 6 - Mayor Larry Klein
Vice Mayor Glenn Hendricks
Councilmember Gustav Larsson
Councilmember Russ Melton
Councilmember Alysa Cisneros
Councilmember Omar Din

Mayor Klein, Vice Mayor Hendricks and all Councilmembers attended via teleconference.

Study Session

B [21-0796](#) DPW 18-07 Feasibility of Acquiring Control of Caltrans Traffic Signals on El Camino Real and DPW 19-10 Improving Traffic Operations at Fremont/Bernardo/Hwy 85

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

Public Comment opened at 6:49 p.m.

No speakers.

Public Comment closed at 6:49 p.m.

Adjourn Special Meeting

Mayor Klein adjourned the meeting at 6:50 p.m.

7 P.M. COUNCIL MEETING**CALL TO ORDER**

Pursuant to Government Code Subdivision 54953(e), the meeting was conducted telephonically; pursuant to state law, the City Council made the necessary findings by adopting Resolution No. 1089-21, reaffirmed on November 16, 2021.

Mayor Klein called the meeting to order at 7:00 p.m. via teleconference.

ROLL CALL

Present: 6 - Mayor Larry Klein
Vice Mayor Glenn Hendricks
Councilmember Gustav Larsson
Councilmember Russ Melton
Councilmember Alysa Cisneros
Councilmember Omar Din

Mayor Klein, Vice Mayor Hendricks and all Councilmembers attended via teleconference.

CLOSED SESSION REPORT

Vice Mayor Hendricks reported that Council met in Closed Session held pursuant to California Government Code Section 54957: PUBLIC EMPLOYEE PERFORMANCE EVALUATION Title: City Manager and City Attorney; nothing to report.

SPECIAL ORDER OF THE DAY

C [21-1079](#) Recognition of NOVA Workforce Services Director Upon Her Retirement

Mayor Klein presented a certificate to NOVA Workforce Services Director Kris Stadelman in recognition of her retirement.

Ms. Stadelman addressed the City Council.

PRESENTATION

D [21-0946](#) 2021 Municipal Information Systems Association of California (MISAC) Awards, Presented by MISAC Board Member Gaurav

Garg

MISAC Board Member Gaurav Garg presented the MISAC Excellence in IT to Chief Information Officer Kathleen Boutté Foster and the Information Technology team.

Ms. Boutté Foster spoke towards the recognition.

E [21-0701](#) Informational Update on Project Homekey Sites Located Near Sunnyvale by Santa Clara County Director of the Office of Supportive Housing Consuelo Hernandez

Santa Clara County Director of the Office of Supportive Housing Consuelo Hernandez provided the presentation.

ORAL COMMUNICATIONS

Leticia inquired on assistance and housing for unhoused individuals.

CONSENT CALENDAR

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

The motion carried with the following vote:

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

No: 0

1.A [21-0019](#) Approve City Council Meeting Minutes of November 9, 2021
Approve the City Council Meeting Minutes of November 9, 2021 as submitted.

1.B [21-0168](#) Approve City Council Meeting Minutes of November 16, 2021
Approve the City Council Meeting Minutes of November 16, 2021 as submitted.

1.C [21-0262](#) 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** [21-1037](#) Receive and File the City of Sunnyvale Investment Report - Third Quarter 2021

Receive and file the City of Sunnyvale - Third Quarter 2021 Investment Report.

- 1.E** [21-1045](#) Authorize Amending an Existing Purchase Agreement with Valley Oil for Unleaded and Diesel Fuel (F22-059)

Take the following actions:

- Authorize the City Manager to amend the existing purchase agreement with Valley Oil for unleaded and diesel fuel, increasing the not-to-exceed amount by \$260,000 for a new not-to-exceed amount of \$765,000; and
- Authorize the City Manager to amend the not-to-exceed amount, subject to available budget and if pricing and service remain acceptable to the City.

- 1.F** [21-0896](#) Authorize the City Manager to Execute the First Amendment to the 1178 Sonora Court Disposition and Development Agreement Between the City of Sunnyvale and Mid-Peninsula Baker Park, Inc. to Extend the Close of Escrow Date and Incorporate the Ability to Enter into a Short-Term Lease with MP Sonora Court Associates, L.P. for the City-Owned Property at 1178 Sonora Court into the Disposition and Development Agreement

Authorize the City Manager to execute the First Amendment to the 1178 Sonora Court disposition and development agreement between the City of Sunnyvale and Mid-Peninsula Baker Park, Inc., to extend the close of escrow date and incorporate the ability to enter into a short-term lease with MP Sonora Court Associates, L.P. for the City-owned property at 1178 Sonora Court into the disposition and development agreement.

- 1.G** [21-1038](#) Consent and First Amendment to Agreement with Zanker Road Resource Management, Ltd to Process Organic Materials from the SMaRT Station®

Authorize the City Manager to execute the consent and First Amendment to the agreement between the City of Sunnyvale and Zanker Road Resource Management, Ltd, in substantially the same form as Attachment 2 to the report, to Process Organic Materials from the SMaRT Station.

- 1.H** [21-1044](#) Adopt Ordinance No. 3183-21 Repealing and Re-Adopting Chapter 8.16 (Solid Waste Handling and Recycling) of Title 8

(Health and Sanitation) and Adding Chapter 16.74 (Construction and Demolition Diversion) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code

Adopt Ordinance No. 3183-21 repealing and re-adopting Chapter 8.16 (Solid Waste Handling and Recycling) of Title 8 (Health and Sanitation) and adding Chapter 16.74 (Construction and Demolition Diversion) of Title 16 (Buildings and Construction) of the Sunnyvale Municipal Code.

- 1.I [21-1071](#) Adopt Ordinance No. 3184-21 Amending Section 19.37.060 (General Planting, Soil Management and Water Feature Design Requirements) and Section 19.38.030 (Recycling and Solid Waste Facilities) of Title 19 (Zoning) of the Sunnyvale Municipal Code

Adopt Ordinance No. 3184-21 amending Section 19.37.060 (General Planting, Soil Management and Water Feature Design Requirements) and Section 19.38.030 (Recycling and Solid Waste Facilities) of Title 19 (Zoning) of the Sunnyvale Municipal Code.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2 [21-0921](#) Approve the Java Drive Road Diet Removal of One Mixed Flow Lane in Each Direction Between Mathilda and Crossman Avenues, Select Class II-B Buffered Bike Lanes (Option 1) for Final Design and Construction and Find that this Action is Categorically Exempt from the California Environmental Quality Act (CEQA Guidelines Section 15301(c))

Principal Transportation Engineer/Planner Angela Obeso provided the staff report and presentation.

Public Hearing opened at 8:02 p.m.

Richard Mehlinger, Bicycle and Pedestrian Advisory Commission Chair communicated the Commission's support for the project and urged Council to approve the project. Speaking on his own behalf, he voiced support for the project as it encourages bicycling in the Moffett Park area.

Leia Mehlman spoke towards the proposed bicycle-pedestrian infrastructure integrating with the future plans for the Moffett Park area and requested Council approve the project.

Tim Oey shared support for the project and spoke towards the project advancing Active Transportation Plan and Vision Zero priorities.

Ari Feinsmith communicated support for the project and spoke towards the benefits of the proposed bike lanes.

Amanda shared support for the project.

Public Hearing closed at 8:11 p.m.

MOTION: Councilmember Din moved and Councilmember Cisneros seconded the motion to approve Alternative 1: Approve the Java Drive Road Diet removal of one mixed flow lane in each direction between Mathilda and Crossman Avenues and select Option 1 (Class II-B buffered bike lanes) for final design and construction and make a finding of categorical exemption from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c).

The motion carried with the following vote:

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

No: 0

- 3** [21-1031](#) Introduction of an Ordinance to Amend Chapter 1.04 of the Sunnyvale Municipal Code Relating to Attorney's Fees and Costs for Abatement of Public Nuisances

Assistant City Attorney Anais Aquino provided the staff report.

Public Hearing opened at 8:24 p.m.

No speakers.

Public Hearing closed at 8:24 p.m.

MOTION: Councilmember Melton moved and Councilmember Din seconded the motion to approve Alternative 1: Introduce an Ordinance amending Chapter 1.04 (General Penalty) by adding Section 1.04.080 (Attorneys' Fees and Costs for

Abatement of Public Nuisances) to the Sunnyvale Municipal Code and find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

City Clerk David Carnahan read the Ordinance title for the record.

The motion carried with the following vote:

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

No: 0

4 [21-0172](#) Appoint Applicant to the Planning Commission

City Clerk David Carnahan provided the staff report.

Public Hearing opened at 8:27 p.m.

No speakers.

Public Hearing closed at 8:27 p.m.

City Clerk David Carnahan conducted random order roll call votes, tallied the votes and reported the results as follows:

Planning Commission

Yasaman Hakami

Vote: 0-0-6 (Abstentions by Mayor Klein, Vice Mayor Hendricks and all Councilmembers)

Nathan Iglesias

Vote: 5-0-1 (Abstention by Vice Mayor Hendricks)

Richard Leshar

Vote: 3-0-3 (Abstentions by Vice Mayor Hendricks and Councilmembers Cisneros and Din)

Marco Vasquez

Vote: 0-0-6 (Abstentions by Mayor Klein, Vice Mayor Hendricks and all Councilmembers)

Nathan Iglesias was appointed to the Planning Commission to serve a term expiring 6/30/2023.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Councilmember Larsson shared details he learned at a recent Bay Area Water Supply and Conservation Agency (BAWSCA) meeting that the San Francisco Public Utilities Commission voted to declare a water shortage emergency and called for a 10 percent reduction by its San Francisco customers. A 14 percent voluntary purchase reduction by Sunnyvale has been requested.

NON-AGENDA ITEMS & COMMENTS

-Council

Councilmember Cisneros proposed a study issue to explore how to address the crow and nuisance bird issue in Sunnyvale through abatement. Mayor Klein and Councilmembers Melton and Din co-sponsored the study issue.

-City Manager

None.

INFORMATION ONLY REPORTS/ITEMS

<u>21-0614</u>	Tentative Council Meeting Agenda Calendar
<u>21-0930</u>	Board/Commission Meeting Minutes
<u>21-0993</u>	Information/Action Items
<u>21-1103</u>	Board/Commission Resignation (Information Only)

ADJOURNMENT

Mayor Klein adjourned the meeting at 8:36 p.m.