



# City of Sunnyvale

## Meeting Minutes City Council

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Tuesday, December 7, 2021

4:30 PM

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

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**Special Meeting: Closed Session - 4:30 PM | Special Meeting: Study Session - 6 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 Alysia 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**      [21-1034](#)      CONFERENCE WITH LEGAL COUNSEL-PENDING  
LITIGATION  
Closed Session held pursuant to California Government Code

Section 54956.9(d)(1):

Name of Case: Michael Lecy v. City of Sunnyvale (Workers Compensation Appeal Board Case No. ADJ12038967)

**B**      [21-1035](#)

CONFERENCE WITH LEGAL COUNSEL-PENDING LITIGATION

Closed Session held pursuant to California Government Code Section 54956.9(d)(1):

Name of Case: Hershel Golden v. City of Sunnyvale (Workers Compensation Appeal Board Case Nos. ADJ8653640, ADJ8653654, ADJ8972921)

**C**      [21-1036](#)

CONFERENCE WITH LEGAL COUNSEL-PENDING LITIGATION

Closed Session held pursuant to California Government Code Section 54956.9(d)(1):

Name of Case: Timothy Murray v. City of Sunnyvale (Workers Compensation Appeal Board Case Nos. ADJ1154917, ADJ12619319, ADJ3687599, ADJ1384813, ADJ3117118, ADJ3291305, ADJ4073235, ADJ1126778, ADJ3258053)

**D**      [21-1017](#)

Closed Session Held Pursuant to California Government Code Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Ad Hoc Committee on City Manager Compensation Members Larry Klein, Gustav Larsson and Alysa Cisneros

Unrepresented employee: City Manager

**Adjourn Special Meeting**

Mayor Klein adjourned the meeting at 5:28 p.m.

**6 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 6:00 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.

**Study Session**

**E**      [21-0186](#)      Discussion of Upcoming Selection of Vice Mayor

Assistant City Manager Teri Silva provided the staff report.

Councilmember Cisneros expressed interest in becoming the Vice Mayor for 2022.

Public Comment opened at 6:04 p.m.

No speakers.

Public Comment closed at 6:04 p.m.

**F**      [21-0606](#)      Discussion of 2022 Council Intergovernmental Assignments

The Council discussed their interest in 2022 Council Intergovernmental Assignments.

Public Comment opened at 6:43 p.m.

No speakers.

Public Comment closed at 6:43 p.m.

**Adjourn Special Meeting**

Mayor Klein adjourned the meeting at 6:44 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 54956.9(d)(1): CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION. Name of Case: Michael Lecy v. City of Sunnyvale (Workers Compensation Appeal Board Case No. ADJ12038967); nothing to report.

Vice Mayor Hendricks reported that Council met in Closed Session held pursuant to California Government Code Section 54956.9(d)(1): CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION. Name of Case: Hershel Golden v. City of Sunnyvale (Workers Compensation Appeal Board Case Nos. ADJ8653640, ADJ8653654, ADJ8972921); nothing to report.

Vice Mayor Hendricks reported that Council met in Closed Session held pursuant to California Government Code Section 54956.9(d)(1): CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION. Name of Case: Timothy Murray v. City of Sunnyvale (Workers Compensation Appeal Board Case Nos. ADJ1154917, ADJ12619319, ADJ3687599, ADJ1384813, ADJ3117118, ADJ3291305, ADJ4073235, ADJ1126778, ADJ3258053); nothing to report.

Vice Mayor Hendricks reported that Council met in Closed Session held pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS. Agency designated representatives: Ad Hoc Committee on City Manager Compensation Members Larry Klein, Gustav Larsson and Alysa Cisneros.

Unrepresented employee: City Manager; nothing to report.

**SPECIAL ORDER OF THE DAY**

**G**      [21-0174](#)      Ceremonial Oath of Office for Commission Member

City Clerk David Carnahan administered the Ceremonial Oath of Office to incoming Planning Commissioner Nathan Iglesias.

**ORAL COMMUNICATIONS**

Councilmember Larsson announced details of the upcoming minimum wage increase and the current recruitment for various Boards and Commissions.

**CONSENT CALENDAR**

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

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**      [21-0914](#)      Approve the Joint City Council and Santa Clara Valley Water District Board of Directors Meeting Minutes of October 6, 2021

Approve the Joint City Council and Santa Clara Valley Water District Board of Directors Meeting Minutes of October 6, 2021 as submitted.

**1.B**      [21-1108](#)      Approve City Council Meeting Minutes of November 22, 2021

Approve the City Council Meeting Minutes of November 22, 2021 as submitted.

**1.C**      [21-0205](#)      Approve City Council Meeting Minutes of November 30, 2021

Approve the City Council Meeting Minutes of November 30, 2021 as submitted.

**1.D**      [21-0263](#)      Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Approve the list(s) of claims and bills.

- 1.E**      [21-0984](#)      Authorize the Issuance of a Contract Purchase Agreement with Dell Marketing L.P. for Computer Equipment (F22-039)

Take the following actions:

- Authorize the issuance of a contract purchase agreement utilizing the terms included as Attachment 1 to the report to Dell Marketing L.P. in the amount up to \$800,000 through December 31, 2022; and
- Authorize to the City Manager to renew the contract purchase agreement for up to four (4) additional one-year periods, not-to-exceed annual budgeted amounts, subject to the continuation of the NASPO ValuePoint Agreement.

- 1.F**      [21-1105](#)      Adopt a Resolution Amending the City's Salary Resolution and Schedule of Pay to (1) Update Pay Rates for Casual/Temporary Classifications to Reflect the January 1, 2022 Sunnyvale Minimum Wage of \$17.10 per hour, and (2) Increase the Councilmember and Mayor Stipend Amounts Pursuant to City Charter Section 605

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

1. Update pay rates for casual/temporary classifications to reflect the January 1, 2022 Sunnyvale Minimum Wage of \$17.10 per hour; and
2. Increase the Councilmember and Mayor stipend amounts pursuant to City Charter Section 605.

- 1.G**      [21-1106](#)      Adopt a Resolution to Amend the Classification Plan and the City's Salary Resolution to Add the Classification of Assistant Recreation Services Coordinator and Update the Schedule of Pay

Adopt a Resolution amending the Classification Plan and the City's Salary Resolution to add the classification of Assistant Recreation Services Coordinator and update the Schedule of Pay effective December 12, 2021.

- 1.H**      [21-1057](#)      Ratify Councilmember Russ Melton's Appointment to The League of California Cities Revenue and Taxation Policy Committee for 2022

Council ratifies Councilmember Russ Melton's appointment to the League of California Cities Revenue and Taxation Policy Committee for 2022.

- 1.I**      [21-1065](#)      Appoint Julie Lind and Michelle Nemits to the NOVA Workforce Board

Appoint Julie Lind and Michelle Nemits to the NOVA Workforce Board.

- 1.J**      [21-1136](#)      Adopt Ordinance No. 3185-21 to Amend Chapter 1.04 (General Penalty) of Title 1 of the Sunnyvale Municipal Code to Add Section 1.04.080 (Attorney's Fees and Costs for Abatement of Public Nuisances)

Adopt Ordinance No. 3185-21 to amend Chapter 1.04 (General Penalty) of Title 1 of the Sunnyvale Municipal Code to add Section 1.04.080 (Attorney's Fees and Costs for Abatement of Public Nuisances).

**PUBLIC HEARINGS/GENERAL BUSINESS**

- 2**      [21-1016](#)      Amend Resolution No. 1075-21 Directing the City Manager to Temporarily Allow Outdoor Dining on Private Parking Lots and Close the 100 Block of South Murphy Avenue until September 30, 2022

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

Public Hearing opened at 7:13 p.m.

Dawn Maher, Chief Executive Officer, Sunnyvale Chamber of Commerce communicated support for extending the Resolution.

Michael Johnson, Executive Director, Sunnyvale Downtown Association on behalf of the Board of Directors voiced support the Resolution and requested a feasibility study regarding a permanent closure of Murphy Avenue be conducting.

Stephen Meier spoke towards the study issue related to permanently closing Murphy Avenue.

Public Hearing closed at 7:19 p.m.

MOTION: Vice Mayor Hendricks moved and Councilmember Cisneros seconded the motion to approve Alternative 1: Amend Resolution No. 1075-21 directing the City Manager to temporarily allow outdoor dining on private parking lots and close the 100 Block of South Murphy Avenue until September 30, 2022.

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**      [21-1005](#)      Award a Contract to All City Management Services Inc. for Crossing Guard Services (F21-150) and Approve Budget Modification No. 10 in the Amount of \$92,375

Senior Management Analyst Elaine Ketell provided the staff report.

Public Hearing opened at 7:38 p.m.

Mary Klenk urged Council to approve the contract.

Angela Quizon requested Council approve the Budget Modification.

Public Hearing closed at 7:43 p.m.

MOTION: Vice Mayor Hendricks moved and Councilmember Cisneros seconded the motion to approve Alternative 1: Award a contract in substantially the same form as Attachment 1 to the report in the amount not-to-exceed \$846,372 to All Cities Management Services, Inc. to provide crossing guard services; approve Budget Modification No. 10 in the amount of \$92,375; and authorize the City Manager to amend and renew the contract for four additional one-year terms, subject to available budget, if pricing and service remain acceptable to the City.

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      [21-0973](#)      Accept LinkedIn's Donation of Voluntary Bicycle and Pedestrian Facility Improvements on Maude Avenue between Sunnyvale/Mountain View City Limits and Approximately 400 feet West of North Mathilda Avenue with an Estimated Construction Cost of \$1,180,000 and Finding of an Exemption from the California Environmental Quality Act

Principal Transportation Engineer Lillian Tsang provided the staff report and presentation.

Public Hearing opened at 8:02 p.m.

Leia Mehlman spoke toward the benefits of the "bicycle boxes" and shared support for the proposed buffered bike lanes.

Stephen Meier communicated support for bicycle and pedestrian improvements and requested Council approve the project.

Public Hearing closed at 8:06 p.m.

MOTION: Councilmember Cisneros moved and Councilmember Melton seconded the motion to approve Alternative 1: Accept LinkedIn's donation of voluntary bicycle and pedestrian facility improvements on Maude Avenue between Sunnyvale/Mountain View city limits and approximately 400 feet West of North Mathilda Avenue with an estimated construction costs of \$1,180,000 and finding of exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c) for existing streets, sidewalks, bicycle lanes and facilities involving negligible or no expansion and that does not create additional automobile lanes.

The motion carried with the following vote:

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

**No:** 0

- 5      [21-0577](#)      Introduce an Ordinance to Add Chapter 10.62 of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code Relating to Exhibitions and Speed Contests, Amend Section 1.04.101(b) of Chapter 1.04 (General Penalty) Relating to Violation-Misdemeanor or Infraction, and Adopt a Resolution to Amend the City Fee Schedule

Public Safety Captain David Sakurai provided the staff report and presentation.

Public Hearing opened at 8:45 p.m.

No speakers.

Public Hearing closed at 8:45 p.m.

MOTION: Vice Mayor Hendricks moved and Councilmember Melton seconded the motion to approve Alternative 2: Introduce an Ordinance of the City Council of the City of Sunnyvale to add Chapter 10.62 of Title 10 (Vehicles and Traffic) and amend Section 1.04.010(b) of the Sunnyvale Municipal Code relating to Exhibitions and Speed Contests and adopt a Resolution to amend the City Fee Schedule with the following modifications:

- Set a penalty of \$900 per incident for spectators; and
- Set a penalty of \$950 per incident for promoters.

City Clerk David Carnahan read the Ordinance title into 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

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

Vice Mayor Hendricks announced that the Valley Transportation Authority Board of Directors elected Chappie Jones to serve as Chair and Rich Constantine to serve as Vice Chair for 2022. He shared his attendance at the Caltrain Board of Directors

special meeting including details of the Peninsula Corridor Electrification Project budget.

Councilmember Larsson shared his attendance at the Silicon Valley Clean Energy Board of Director meeting including details of a new strategic priority related to decarbonization. He also shared his attendance at the CalCCA Conference.

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

#### **-Council**

None.

#### **-City Manager**

None.

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

[21-0716](#) Tentative Council Meeting Agenda Calendar

[21-0859](#) Board/Commission Meeting Minutes

[21-0895](#) Information/Action Items

### **ADJOURNMENT**

Mayor Klein adjourned the meeting at 9:09 p.m.