



City of Sunnyvale

Meeting Minutes City Council

Tuesday, January 10, 2023

7:00 PM

Online and Council Chambers, City Hall,
456 W. Olive Ave., Sunnyvale, CA 94086
(607 All America Way for map directions)

Regular Meeting - 7 PM | Regular Meeting: Sunnyvale Financing Authority - 7 PM (or soon thereafter)

7 P.M. COUNCIL MEETING

CALL TO ORDER

Pursuant to Government Code Subdivision 54953(e), Councilmembers had the opportunity to participate in the meeting telephonically; pursuant to state law, the City Council made the necessary findings by adopting Resolution No. 1089-21, reaffirmed on December 13, 2022.

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

SALUTE TO THE FLAG

Mayor Klein led the salute to the United States flag.

ROLL CALL

Present: 7 - Mayor Larry Klein
Vice Mayor Omar Din
Councilmember Russ Melton
Councilmember Alysa Cisneros
Councilmember Richard Mehlinger
Councilmember Murali Srinivasan
Councilmember Linda Sell

Councilmember Melton attended via teleconference.

SPECIAL ORDER OF THE DAY

A [23-0041](#) Recognition of Outgoing Vice Mayor

Patrick Ahrens, Representative of Assembly Member Evan Low and Foothill De Anza Board of Trustees President spoke to recognize the outgoing Vice Mayor.

Public Hearing opened at 7:03 p.m.

No speakers.

Public Hearing closed at 7:03 p.m.

Mayor Klein provided remarks in appreciation of former Vice Mayor Cisneros.

Councilmember Cisneros provided remarks.

Councilmember Melton joined the meeting in the Council Chambers at 7:11 p.m.

B [23-0006](#) Ceremonial Oath of Office for Vice Mayor

Mayor Klein administered the ceremonial Oath of Office to Councilmember Din.

Vice Mayor Din provided remarks.

Public Hearing opened at 7:17 p.m.

No speakers.

Public Hearing closed at 7:17 p.m.

ORAL COMMUNICATIONS

Councilmember Sell announced details of the current recruitment for various Boards and Commissions and an upcoming Sustainability Speaker Series event.

Sharlene Liu and Mark Hlady, Bike Sunnyvale provided a presentation addressing implementation of the Vision Zero Plan.

CONSENT CALENDAR

Public Comment opened at 7:27 p.m.

No speakers.

Public Comment closed at 7:27 p.m.

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

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Din
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Srinivasan
Councilmember Sell

No: 0

1.A [23-0087](#) Approve City Council Meeting Minutes of November 29, 2022
Approve the City Council Meeting Minutes of November 29, 2022 as submitted.

1.B [23-0086](#) Approve City Council Meeting Minutes of December 6, 2022
Approve the City Council Meeting Minutes of December 6, 2022 as submitted.

1.C [23-0015](#) Approve City Council Meeting Minutes of December 13, 2022
Approve the City Council Meeting Minutes of December 13, 2022 as submitted.

1.D [23-0164](#) Approve Budget Modification No.10 in the Amount of \$28,435
for Non-Residential Housing Mitigation Fee Study for BAE
Urban Economics Consultant Costs

Approve Budget Modification No. 10 in the amount of \$28,435 for Non-Residential
Housing Mitigation Fee Study for BAE Urban Economics consultant costs.

1.E [23-0016](#) Approve the List(s) of Claims and Bills Approved for Payment
by the City Manager

Approve the list(s) of claims and bills.

1.F [23-0141](#) Adopt a Resolution to Amend the Classification Plan and the
City's Salary Resolution to Update the Schedule of Pay to
Increase Salaries for the Classifications of Client Support
Specialist I/II and to Add the Classifications of Senior Client
Support Specialist and Principal Client Support Specialist

Adopt a Resolution to amend the Classification Plan and the City's Salary
Resolution to update the Schedule of Pay to increase salaries for the
Classifications of Client Support Specialist I/II and to add the Classifications of
Senior Client Support Specialist and Principal Client Support Specialist effective the
first pay period after City Council approval.

- 1.G** [23-0085](#) Approve the Third Amendment to Outside Counsel Agreement with Bertrand, Fox, Elliot, Osman & Wenzel for Litigation Services in the matter of Casa De Amigos v. City of Sunnyvale.

Authorize the City Attorney to execute a Third Amendment, in substantially the same form as Attachment 1 to the report, to the Outside Counsel Agreement with the law firm of Bertrand, Fox & Elliot to increase the not-to-exceed amount by \$235,000, for a new not-to-exceed contract amount of \$585,000.

- 1.H** [23-0091](#) Reconsider and Affirm Resolution No. 1089-21; and Make Findings Pursuant to Government Code Section 54953(e) (AB 361) to Continue Virtual Public Meetings for the City Council and Boards, Commissions and Council Subcommittees During the COVID-19 State of Emergency

Affirm Resolution 1089-21; and make findings pursuant to Government Code Section 54953(e) (AB 361) to continue virtual public meetings for the City Council and Boards, Commissions and Council Subcommittees during the COVID-19 State of Emergency:

1. The City Council hereby finds that the state of emergency conditions related to COVID-19, as set forth in Resolution No. 1162-22 adopted on December 13, 2022 and incorporated herein by reference, are ongoing;
2. The City Council finds that there is a need to continue teleconferencing for public meetings without posting the teleconferencing locations on the agenda and without requiring the teleconference locations to be accessible to the public during the current Governor proclaimed COVID-19 state of emergency; and
3. The City Council finds that the state of emergency continues to directly impact the ability of members of the City Council, Council Standing Committees, and City Boards and Commissions to meet safely in person.

- 1.I** [23-0092](#) 1.a) Adopt Ordinance No. 3207-23 amending Various Sections of Chapter 19.46 (Parking) and Making Other Amendments to Title 19 (Zoning) of the Sunnyvale Municipal Code
- 1.b) Adopt Ordinance No. 3208-23 Amending Various Sections of Chapter 19.58 (Family Child Care Homes) and Making Other Amendments to Title 19 (Zoning) of the Sunnyvale Municipal Code Related to Family Child Care Homes
- 1.c) Adopt Ordinance No. 3209-23 Repealing and Readopting

Chapter 19.79 (Accessory Dwelling Units) of Title 19 (Zoning) and Adopting Chapter 16.72 (Permit Process for Accessory Dwelling Units) of Title 16 (Buildings) of the Sunnyvale Municipal Code

Adopt Ordinance No. 3207-23 amending various sections of Chapter 19.46 (Parking) and making other amendments to Title 19 (Zoning) of the Sunnyvale Municipal Code;

Adopt Ordinance No. 3208-23 amending various sections of Chapter 19.58 (Family Child Care Homes) and making other amendments to Title 19 (Zoning) of the Sunnyvale Municipal Code related to Family Child Care Homes; and

Adopt Ordinance No. 3209-23 repealing and readopting Chapter 19.79 (Accessory Dwelling Units) of Title 19 (Zoning) and adopting Chapter 16.72 (Permit Process for Accessory Dwelling Units) of Title 16 (Buildings) of the Sunnyvale Municipal Code.

ADJOURNMENT TO REGULAR MEETING OF THE SUNNYVALE FINANCING AUTHORITY

7 P.M. (OR SOON THEREAFTER) REGULAR MEETING OF THE SUNNYVALE FINANCING AUTHORITY

Call to Order

Pursuant to Government Code Subdivision 54953(e), Authority Members had the opportunity to participate in the meeting telephonically; pursuant to state law, the Sunnyvale Financing Authority made the necessary findings by adopting Resolution No. 1105-22FA, reaffirmed on December 13, 2022.

Authority Klein called the Sunnyvale Financing Authority meeting to order at 7:30 p.m.

Roll Call

Present: 7 - Authority Chair / Mayor Larry Klein
Authority Vice Chair / Vice Mayor Omar Din
Authority Member / Councilmember Russ Melton
Authority Member / Councilmember Alysa Cisneros
Authority Member / Councilmember Richard Mehlinger
Authority Member / Councilmember Murali Srinivasan
Authority Member / Councilmember Linda Sell

Oral Communications

No speakers.

Consent Calendar

Public Comment opened at 7:33 p.m.

No speakers.

Public Comment closed at 7:33 p.m.

MOTION: Authority Vice Chair Din moved and Authority Member Cisneros seconded the motion to approve agenda item 2.A through 2.B.

The motion carried with the following vote:

Yes: 7 - Authority Chair Klein
Authority Vice Chair Din
Authority Member Melton
Authority Member Cisneros
Authority Member Mehlinger
Authority Member Srinivasan
Authority Member Sell

No: 0

2.A [23-0090](#) Approve Sunnyvale Financing Authority Meeting Minutes of December 13, 2022

Approve the Sunnyvale Financing Authority Meeting Minutes of December 13, 2022 as submitted.

2.B [23-0093](#) Reconsider and Affirm Resolution No. 1105-22FA; and Make Findings Pursuant to Government Code Section 54953(e) (AB 361) to Continue Virtual Public Meetings for the Sunnyvale Financing Authority During the COVID-19 State of Emergency

Affirm Resolution 1105-22FA; and make findings pursuant to Government Code Section 54953(e) (AB 361) to continue virtual public meetings for the Financing Authority during the COVID-19 State of Emergency:

1. The Financing Authority Board has found and determined that the state of emergency conditions related to COVID-19, as set forth in City of Sunnyvale Resolution No. 1162-22 adopted on December 13, 2022, and incorporated herein by reference, are on going;
2. The Financing Authority Board finds that there is a need to continue teleconferencing for public meetings without posting the teleconferencing locations on the agenda and without requiring the teleconference locations to be accessible to the public during the current Governor proclaimed COVID-19 state of

emergency; and

3. The Financing Authority Board finds that the state of emergency continues to directly impact the ability of members of the Financing Authority to meet safely in person.

ADJOURN SUNNYVALE FINANCING AUTHORITY MEETING

Chair Klein adjourned the meeting at 7:34 p.m.

RECONVENE TO CITY COUNCIL MEETING

Mayor Klein reconvened the City Council meeting at 7:34 p.m.

PUBLIC HEARINGS/GENERAL BUSINESS

- 3 [23-0083](#) CONTINUED FROM NOVEMBER 29, 2022
Proposed Project: Adopt a Resolution for a:
SPECIFIC PLAN AMENDMENT to modify Block 20 of the
Downtown Specific Plan (DSP) to allow additional residential
units and office square footage, and associated modifications
to design guidelines and development standards; and
GENERAL PLAN AMENDMENT to reflect increases in
Projected Build-out in the Land Use and Transportation
Element (LUTE).
Location: 510 and 528 S. Mathilda Avenue (APNs:209-29-060
and 061) and 562 and 568 S. Mathilda Avenue
(APNs:209-29-057 and 067)
File #: 2018-7585
Zoning: DSP (Block 20)
Applicant / Owner: Shawn Karimi, Karimi Shahriar Trustee
(applicant and owner 510 and 528 S. Mathilda Avenue) and
Shawn Taheri, Sam Cloud Barn LLC (applicant and owner
562 and 568 S. Mathilda Avenue)
Environmental Review: Addendum to the Downtown Specific
Plan Amendments Final Environmental Impact Report for the
Block 20 Area Project.
Project Planner: Margaret Netto, (408) 730-7628,
mnetto@sunnyvale.ca.gov

Mayor Klein recused himself from this item due to a conflict of interest – owning real property within 500 feet of the Downtown Specific Plan area, and left the meeting at 7:35 p.m.

Senior Planner Margaret Netto provided the staff report and presentation.

Public Hearing opened at 7:44 p.m.

Shawn Taheri, Applicant spoke to approving the Specific Plan and General Plan Amendments.

Melinda Hamilton shared their concerns with the proposed amendments and the overall process.

Bill Weaver voiced their concerns with potential project high limits.

Alisa spoke to in support of the proposed amendments and of building new housing.

Ray Johnson communicated their displeasure in the Downtown Specific Plan amendment process and opposition to the proposed amendments.

Bryce Beagle spoke in support of approving the amendments and of building new housing.

Laurel Ashcraft communicated opposition to the possibility of potential projects exceeding City zoning requirements and with the implementation of the Downtown Specific Plan.

Jason Roberts shared support for increasing the number of housing units possible in the Plan area.

Shawn Karmi, Applicant voiced support for the proposed amendments.

Shawn Taheri, Applicant reiterated their support for the proposed amendments.

Public Hearing closed at 8:01 p.m.

MOTION: Councilmember Melton moved and Councilmember Cisneros seconded the motion to approve Alternatives 1 and 2: 1) Accept the Addendum to the previously certified 2020 Downtown Specific Plan (DSP) EIR pursuant to CEQA Guidelines Section 15162 (Attachment 4 to the report); 2) Adopt a Resolution to amend the General Plan and DSP (Attachment 5 to the report), approve the DSP Amendments for Block 20 (Attachment 4, Appendix A to the report), and adopt a Resolution to amend Figure 32 in the Land Use and Transportation Element of the General Plan (Attachment 6 to the report).

The motion carried with the following vote:

Yes: 5 - Vice Mayor Din
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Sell

No: 1 - Councilmember Srinivasan

Recused: 1 - Mayor Klein

- 4 [23-0088](#) Approve the Preferred Concept Plan for the Community Center Grounds Renovation Project and Find the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines section 15262

Mayor Klein returned to the meeting at 9:00 p.m.

Assistant Director of Public Works/City Engineer Jennifer Ng provided the staff report and presentation.

Public Hearing opened at 10:12 p.m.

Steve Scandalis shared support for the Preferred Concept Plan and offered suggestions for the Community Center Grounds Renovation Project.

Diane Bracken communicated their concerns with how senior community members will be negatively affected by some of the proposed changes.

Carrie Levin shared their concerns with the limited number of native plants being used in the Plan and the use of synthetic turf in the Plan.

Stephen Meier spoke to the use of grass areas within the Plan and offered alternative options that may be used in the Plan.

Public Hearing closed at 10:24 p.m.

MOTION: Councilmember Cisneros moved and Vice Mayor Din seconded the motion to approve Alternative 1: Approve the Preferred Concept Plan for the Community Center Grounds Renovation Project as shown on Attachment 6 of the report and find the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15262.

The motion carried with the following vote:

Yes: 7 - Mayor Klein
Vice Mayor Din
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Srinivasan
Councilmember Sell

No: 0

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Mayor Klein reported Silicon Valley Clean Energy rates will increase but remain less than Pacific Gas and Electric (PG&E) rates.

NON-AGENDA ITEMS & COMMENTS

-Council

Mayor Klein sponsored a budget proposal to fund increased tree trimming for street trees to address the two-year backlog in trimming over two years. Vice Mayor Din and Councilmembers Melton, Cisneros, Mehlinger, Srinivasan and Sell co-sponsored the budget proposal.

-City Manager

City Manager Kent Steffens provided an update on the City's response to recent rainstorms.

INFORMATION ONLY REPORTS/ITEMS

[23-0024](#) Tentative Council Meeting Agenda Calendar

[23-0026](#) Information/Action Items

ADJOURNMENT

Mayor Klein adjourned the meeting at 10:41 p.m.