



City of Sunnyvale

Meeting Minutes City Council

Tuesday, February 7, 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 January 10, 2023.

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

Vice Mayor Din and Councilmember Srinivasan attended via teleconference.

SPECIAL ORDER OF THE DAY

A [23-0286](#) African American History Month

Mayor Klein spoke in honor of African American History Month.

Tshaka Campbell, Santa Clara County Poet Laureate, shared a poem in honor of African American History Month.

ORAL COMMUNICATIONS

Councilmember Srinivasan announced details of the current recruitment for various the Boards and Commissions and the upcoming EV Ride and Drive Webinar.

Margaret Lawson shared a presentation regarding the state of Fremont Avenue near the Los Altos border and offered suggestions for improvements.

Liam Kroch spoke about the proposed dog park on the PG&E lot between Lois Avenue and Ramona Avenue and how it would negatively impact access to open space to recreation.

Eric Kroch communicated their opposition to the proposed dog park.

Angela Hickson, Sunnyvale for Equity and Education, spoke in support of the Study Issue DPW 23-06 Evaluate Range of Options for Shuttle Service and Alternative Transportation Options for Fremont and Homestead High School Students Who Live in North Sunnyvale.

Sharlene Liu, Bike Sunnyvale, shared Bike Sunnyvale's priority list of study issues they support.

Deborah Goldeen communicated their concerns regarding pedestrian and bicycle safety access to Cannery Park.

Eileen Le, Sunnyvale School District Board Member, spoke to the importance of Study Issue DPW 23-06 and highlighted the importance of a new school within the Moffett Park Specific Plan.

Stephen Meier shared information and concerns regarding an ongoing lawsuit against the City of Sunnyvale and the Department of Public Safety.

Jonathan Blum communicated their support for Study Issues DPW 21-01 Bike Lanes on Hollenbeck Avenue between El Camino Real and Homestead Road and DPW 23-08 Define Metrics that the City Will Use to Evaluate the City's Progress on Bicycle and Pedestrian Infrastructure for Future Reporting.

CONSENT CALENDAR

Public Comment opened at 7:38 p.m.

No speakers

Public Comment closed at 7:38 p.m.

MOTION: Councilmember Melton moved and Councilmember Cisneros seconded the motion to approve agenda items 1.A through 1.F.

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 [23-0019](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Approve the list(s) of claims and bills.

1.B [23-0151](#) Award of Consultant Services Agreement to MNS Engineers, Inc. for the Rehabilitation of the City's Sanitary Sewer Collection System (F23-037)

Take the following actions:

- Award a Consultant Services Agreement in substantially the same form as Attachment 1 to the report in an amount not-to-exceed \$619,304, to MNS Engineers, Inc. of San Jose for design and construction support services for the City's sanitary sewer collection system rehabilitation project;
- Approve a 10% a contingency in the amount of \$61,930; and
- Authorize the City Manager to execute the contract when all necessary conditions have been met.

1.C [23-0089](#) Award of Contract to Van Dyk Recycling Solutions for SMaRT Station® Source Separated Organics Handling and Processing System Upgrade (F22-156)

Take the following actions:

- Approve a Services Agreement in substantially the same form as Attachment 1 to the report in an amount not to exceed \$2,574,588 to Van Dyk Recycling Solutions for the Source Separated Organics Handling and Processing System;
- Authorize the City Manager to Execute the Agreement when all conditions have been met; and
- Approve a 4% contingency in an amount of \$102,983.

1.D [23-0163](#) Reject All Bids Received for the Community Center Renovations for the Department of Public Safety (PW23-09)

Reject all bids received in response to Invitation for Bids PW23-09 Community Center Renovations for Department of Public Safety.

1.E [23-0205](#) 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 on-going;
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.F [23-0094](#) Adopt a Resolution Extending the City's Declaration of Local Emergency for COVID-19

Adopt a Resolution extending the City Manager/Director of Emergency Services' Proclamation of Existence of a Local Emergency (COVID-19) and terminating the Local Emergency on February 28, 2023, if the State COVID-19 Emergency Declaration ends.

ADJOURNMENT TO REGULAR MEETING OF THE SUNNYVALE FINANCING AUTHORITY

Mayor Klein adjourned the Council meeting to the Special Joint Meeting of the City Council and Sunnyvale Financing Authority at 7:41 p.m

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

Pursuant to Government Code Subdivision 54953(e), Board Members had the opportunity to participate in the meeting telephonically; pursuant to state law, Financing Authority made the necessary findings by adopting Resolution No. 1105-22FA, reaffirmed on January 10, 2023.

Chair Klein called the meeting to order at 7:41 p.m.

Roll Call

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

Authority Vice Chair Din and Authority Member Srinivasan attended via teleconference.

Oral Communications

No speakers.

Consent Calendar

Public Comment opened at 7:42 p.m.

No speakers

Public Comment closed at 7:42 p.m.

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

The motion carried with the following vote:

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

No: 0

2.A [23-0206](#) Approve Sunnyvale Financing Authority Meeting Minutes of January 10, 2023

Approve the Sunnyvale Financing Authority Meeting Minutes of January 10, 2023 as submitted.

2.B [23-0207](#) 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 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 ongoing;
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 7:44 p.m.

RECONVENE TO CITY COUNCIL MEETING

Chair Klein reconvened the City Council meeting at 7:44 p.m.

PUBLIC HEARINGS/GENERAL BUSINESS

- 3 [23-0144](#) Consider Permanent Closure of the 100 Block of South Murphy Avenue (Study Issue), Adopt a Resolution of Intent to Establish a Pedestrian Mall, Adopt a Resolution Directing the City Manager to Temporarily Close the 100 Block of South Murphy Avenue until December 31, 2023, through the Issuance of a Special Event Permit, and Update Council Policy 1.1.10 (Use of the Public Sidewalk and Street of the 100 Block of South Murphy Avenue)

Deputy City Manager Connie Verceles provided the staff report and presentation.

Public Hearing opened at 8:42 p.m.

Mike Johnson, Executive Director, Sunnyvale Downtown Association (SDA), spoke on behalf of SDA in support of the permanent closure of the 100 block of South Murphy Avenue and the staff recommendation.

Melinda Hamilton communicated support for adopting the resolutions to permanently close the 100 block of South Murphy Ave.

Martin Pyne spoke in support of adopting the resolutions and discussed difficulties pedestrians face when traveling to South Murphy Avenue.

Restaurant owner shared their supported for the resolutions to permanently close the 100 block of South Murphy Avenue.

Bryce Beagle, spoke in support of the resolutions and provided suggestions to better improve the street for the community.

Leia Mehlman communicated their support for adopting the resolutions to permanently close the street to vehicular traffic.

Saurabh Dwivedi shared their support of the resolutions and suggested the City

keep the business owners and community informed of the costs to complete the project.

Public Hearing closed at 8:56 p.m.

MOTION: Vice Mayor Din moved and Councilmember Cisneros seconded the motion to approve Alternatives 1, 2, 3 and 4:

- 1) Adopt a Resolution of Intent to establish a pedestrian mall on the 100 Block of South Murphy Avenue and set a Public Hearing for May 16, 2023;
- 2) Adopt a Resolution directing the City Manager to extend the closure of Murphy Avenue until December 31, 2023, through the Issuance of a Special Event Permit in accordance with Sunnyvale Municipal Code Chapter 9.45 and Vehicle Code Section 21101(e);
- 3) Direct staff to return with a project to re-grade existing parking bays on Murphy Avenue (Option 3) and use funds from the City's Community Benefits Fund for the Project; and
- 4) Update Council Policy 1.1.10 (Use of the Public Sidewalk and Street of the 100 Block of South Murphy Avenue).

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

Council took a recess at 9:13 p.m. and reconvened at 9:20 p.m. with Mayor Klein and Councilmembers Melton, Cisneros, Mehlinger and Sell present in the Council Chambers and Vice Mayor Din and Councilmember Srinivasan present via teleconference.

- 4** [23-0001](#) Update on the Temporary Eastbound Tasman Lane Closure and Consideration to Extend the Closure Duration

Transportation Manager Dennis Ng provided the staff report and presentation.

Public Hearing opened at 10:06 p.m.

Jason Feinsmith shared a presentation in support of extending the lane closure.

Elena Feinsmith spoke in support of extending the lane closure and to how the community benefits from the closure.

Sharlene Liu, Bike Sunnyvale, provided a presentation supporting extending the lane closure on Tasman Lane.

Leia Mehlman supports the extension of the lane closure and its importance to bicycle and pedestrian safety in the area.

Michael Fagan communicated support for extending the lane closure.

Jonathan Blum shared their support for extending the lane closure.

Harfijah Oliver spoke in support for extending the lane closure.

Peri Baloun communicated how the surrounding community usage of the lane for walking and biking and supports extending the closure.

Public Hearing closed at 10:28 p.m.

MOTION: Councilmember Mehlinger moved and Vice Mayor Din seconded the motion to approve Alternative 2: Extend the duration of the temporary eastbound Tasman Avenue lane closure until December 2024 and direct staff to include \$23,400 in the FY 2023/24 Recommended Budget while still subject to the previously identified traffic volume, congestion and safety triggers.

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

- 5** [23-0259](#) Introduce an Ordinance to Amend Chapter 19.36 of Title 19 of the Sunnyvale Municipal Code to Modify Table 19.36.060B Permitted, Conditionally Permitted, and Prohibited Uses in El Camino Real Specific Plan (ECRSP) Zoning Districts to Conditionally Permit Auto Sales or Rental in ECR-MU Zoning Districts and Find That this Action is Within the Scope of the Program EIR for the El Camino Real Specific Plan Pursuant to CEQA Guidelines Section 15168 (Planning File #2022-7790)

Mayor Klein recused himself from this item due to a conflict of interest – owning real property within 500 feet of the El Camino Real Specific Plan area, and left the meeting at 10:55 p.m.

Deputy City Manager Connie Verceles recused herself from this item due to a conflict of interest – for owning real property within 500 feet of the El Camino Real Specific Plan area, and left the meeting at 10:55 p.m.

Community Development Director Trudy Ryan provided the staff report and presentation.

Public Hearing opened at 11:06 p.m.

No speakers.

Public Hearing closed at 11:07 p.m.

MOTION: Councilmember Cisneros moved and Vice Mayor Din seconded the motion to approve Alternative 1: Introduce an Ordinance (Attachment 2 to the report) to amend Chapter 19.36 of Title 19 of the Sunnyvale Municipal Code to modify Table 19.36.060B Permitted, Conditionally Permitted, and Prohibited Uses in El Camino Real Specific Plan (ECRSP) Districts to conditionally permit Auto sales or rental in ECR-MU zoning districts and find that this action is within the scope of the program EIR for the ECRSP pursuant to California Environmental Quality Act Guidelines Section 15168.

The motion carried with the following vote:

Yes: 6 - Vice Mayor Din
Councilmember Melton
Councilmember Cisneros
Councilmember Mehlinger
Councilmember Srinivasan
Councilmember Sell

No: 0

Recused: 1 - Mayor Klein

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

Mayor Klein returned to the meeting at 11:14 p.m.

Councilmember Srinivasan announced he attended the New Mayors and Councilmembers Academy hosted by the League of California Cities.

Councilmember Sell announced she also attended the New Mayors and Councilmembers Academy.

Mayor Klein reported on his attendance at the US Conference of Mayors in Washington, D.C.

Vice Mayor Din reported on latest Valley Transportation Authority Board meeting.

NON-AGENDA ITEMS & COMMENTS

-Council

None.

-City Manager

None.

INFORMATION ONLY REPORTS/ITEMS

[23-0077](#) Tentative Council Meeting Agenda Calendar

[23-0025](#) Board/Commission Meeting Minutes

[23-0078](#) Information/Action Items

[23-0285](#)

Notice of Public Works Director's Decision on Final Maps
(Information Only)

ADJOURNMENT

Mayor Klein adjourned the meeting at 11:21 p.m.