

## **Sunnyvale City Council Summary - Tuesday, August 12, 2025**

The Sunnyvale City Council meeting was held on August 12, 2025, both in-person and online via Zoom, beginning at 5:00 PM. A study session on climate budgeting commenced at 6:00 PM.

The following council members were present at the meeting:

- \* Mayor Klein
- \* Vice Mayor Sell
- \* Councilmember Cisneros
- \* Councilmember Mellinger
- \* Councilmember Srinivasan
- \* Councilmember Chang
- \* Councilmember Lay (via teleconference)

### **I. Climate Budgeting Study Session:**

- Reviewed climate budgeting approaches from Paris and Flagstaff, highlighting Sunnyvale's existing sustainable practices.
- A FY 25-26 pilot project using budget software checkboxes to track climate action alignment showed a need for improved staff training.
- Recommended approach includes enhanced checkbox implementation, robust staff training, and adding subcategories for better tracking (e.g., transportation, building electrification).
- Reporting will include a summary table supplementing the City Manager's memo and adding data to the Climate Action Scoreboard. Council discussed balancing CAP alignment with other council priorities.
- Council explored adding a climate impact rating system (small, medium, large positive/negative) to budget items for "Budget 2.0."

### **II. Budget Software and Future Improvements:**

- Councilmember Mellinger raised concerns about the age and limitations of the current budget software (last major update ~2016).
- Desired improvements include features for participatory budgeting and a more user-friendly digital budget book.
- Staff noted difficulty prioritizing projects solely on Climate Action Plan (CAP) alignment due to multiple council priorities.
- Discussion included adding a climate impact rating system for budget items; staff noted full quantification is resource-intensive. Council favored improved categorization of budget items for better data analysis.

### **III. Chief of Public Safety Installation:**

- Daniel Pastor was ceremonially sworn in as the new Chief of the Department of Public Safety.
- Chief Pastor highlighted his two decades of public service in Sunnyvale DPS, emphasizing community engagement initiatives.
- The council commended Chief Pastor and expressed anticipation for continued collaboration. This event marked the 75th anniversary of Sunnyvale's merged public safety model.

### **IV. Litigation Update:**

- The council discussed the ongoing litigation, \*San Francisco Baykeeper v. City of Sunnyvale\*.
- Direction was given to the City Attorney to file and/or defend an appeal to the Ninth Circuit based on the District Court's outcome.

### **V. Public Comment and Announcements:**

- Public comments included suggestions for encouraging cool roofs and concerns regarding frivolous ADA lawsuits against small businesses.
- Councilmember Chang announced the Sunnyvale Technology Business Expo (August 14th) and provided safety reminders for the upcoming school year.
- Discussion included underutilization of current library hours, specifically Sunday hours, and

suggestions to improve accessibility and community relevance.

- A speaker shared concerns about the impact of frivolous lawsuits on small businesses.

#### **VI. SB 84 and Frivolous ADA Lawsuits:**

- Public comment highlighted Senate Bill 84, aiming to provide small business owners 120 days to fix accessibility violations.

- The bill is intended to reduce frivolous ADA lawsuits by removing the profit incentive. It's particularly relevant for minority-owned businesses.

- SB 84's delay in the Senate and Assembly was attributed to opposition from Assembly Judiciary Chair Ash Kalra.

- Council members discussed the possibility of passing a resolution or sending a letter of support for SB 84 to Assemblymember Kalra.

#### **VII. Stevens Creek Trail and Fire Risk:**

- A resident raised concerns about fire risks along Stevens Creek, highlighting the need for improved firefighting access during trail construction.

- He cited a previous fire marshal's assessment of the difficulty in accessing the creek area for fire suppression.

- The speaker suggested using the Stevens Creek trail planning and construction as an opportunity to mitigate fire risks.

- He provided a copy of a 2001 fire protection plan to the council with recommendations for improved access.

#### **VIII. Interagency Recycled Water Service Agreement:**

- Council voted 7-0 to approve Item 1B.

- Public hearing opened for Item 1D (Interagency Recycled Water Service Agreement). Concerns were raised about secondary water treatment functionality and cost; staff clarified that tertiary treatment meets Title 22 standards and revenue covers costs. Item 1D approved 7-0.

- Public comment included concerns about pedestrian/bike issues and the functionality/cost of recycled water.

#### **IX. COVID-19 Cares Funds Allocation:**

- Council considered approval of the fifth substantial amendment to the 2019-20 HUD Annual Action Plan to allocate \$185,000 of remaining COVID-19 Cares Funds.
- Staff presented details on the allocation of funds, including emergency rental assistance, COVID-19 vaccines and testing, and mobile hygiene services.
- The amendment increases the budget for public services by \$150,000, primarily for Sunnyvale Community Services' food assistance program.
- Public comment period was closed with no speakers.
- Council unanimously approved the amendment.

#### **X. Sunnyvale Materials Recovery and Transfer Station Agreement:**

- Staff provided an overview of the Smart Station, a mixed-waste material recovery facility. Cupertino's "Merchant User" agreement (per-ton rate) was preferred for its cost predictability over a "Partner" model (shared costs/benefits).
- Cupertino will bring approximately 15,000 tons of mixed waste annually; Sunnyvale and Mountain View currently use ~156,000 tons of the Smart Station's 391,500-ton capacity.
- Cupertino's council already approved the agreement; Sunnyvale council also approved the agreement 7-0.
- The agreement will reduce fixed costs for Sunnyvale and Mountain View by sharing them across three cities; revenue from recycled materials will remain with Sunnyvale. Discussion included the recoverable materials from Cupertino's waste (recyclables and organics), traffic impact, and landfill processes.

#### **XI. Amending Sunnyvale Municipal Code Regarding Residential Remodels:**

- AB 306, later incorporated into AB 130, paused local jurisdictions from amending residential

construction codes after October 1st, 2025, unless rolled over from the 2022 codes.

- AB 130, signed June 30th, 2025, impacts the proposed ordinance updating Sunnyvale's energy and green building codes for single-family residential remodels, additions, and alterations to align with the 2022 California Energy and Green Building Standard Codes.
- The ordinance includes requirements for "electric-ready" infrastructure (dedicated wiring for future electric appliances) and heat pump installation during AC replacements. A cost-effectiveness study is required for heat pump mandates but not for electric-ready wiring.
- The ordinance is proposed for adoption before the October 1st deadline, and the council found the actions exempt from CEQA review.
- Public comment included support and opposition. Supporters highlighted reduced emissions and health benefits; opponents raised concerns about costs, heat pump lifespan, and potential panel upgrades needed. Council approved the ordinance with a grace period for implementation to allow for public education.
- Council discussion highlighted concerns about the state-imposed moratorium on green building code changes and the need for public education regarding the new ordinance. A grace period was included to facilitate this education. The council ultimately approved the ordinance 7-0.

## **XII. Appointments to BPAC and Human Relations Commission:**

- Two vacancies existed, one for each commission.
- Council interviewed applicants on August 4th; some applicants from previous recruitment remained eligible.
- The appointment process was conducted via individual candidate roll call votes due to Councilmember Lay participating via teleconference.
- Candidates needed at least 4 affirmative votes to be appointed; tie-breaking procedures were outlined.
- Councilmembers voted on Yael Levy and Yuriana Valencia for the Human Relations Commission, with multiple abstentions. Ariana Zolikowski was also considered. A brief recess was taken to review

the votes. Councilmember Lay corrected a vote, changing her vote for David B. to "yes." De Zhu was appointed to the Bicycle and Pedestrian Advisory Commission (BPAC) with 7 affirmative votes. For the Human Relations Commission, Yael Levy and Ariana Zolikowski each received 5 affirmative votes. A motion was made and passed to appoint Ariana Zolikowski, resolving the tie.

### **XIII. Relocation Assistance Fund for Village Centers Businesses:**

- Councilmember Srinivasan proposed a one-time \$2.5 million allocation to create a relocation assistance fund for businesses in affected village centers.
- This follows community concerns regarding the loss of numerous small businesses, many minority-owned.
- Funds would assist businesses facing displacement due to development or other factors impacting village centers.
- The exact disbursement method (grants vs. loans) and eligibility criteria will be determined later. The timeline for funding availability is July 1st of the following year, dependent on redevelopment timelines.
- The \$2.5 million figure is based on unspent funds from a council service level set aside over two years; this amount is open for discussion and potential reduction. The proposal received widespread council co-sponsorship.
- Concerns were raised regarding the potential for the funds to be insufficient for some businesses, especially those with specialized needs (e.g., refrigeration). Discussion also emphasized the requirement that businesses remain within Sunnyvale.

### **XIV. Retail Development and Retention Strategic Plan:**

- Councilmember Mellinger proposed a study to strengthen Sunnyvale retail, focusing on resident-serving businesses.
- Sunnyvale has one of the lowest sales tax revenue rates in the county, and residents are concerned about limited access to essential services.
- The study would analyze the existing Economic Development Strategic Plan and suggest

improvements to support retail businesses.

- The proposal received unanimous co-sponsorship from other council members.
- A follow-up budget proposal was introduced to allocate additional resources to the Office of Economic Development to improve service levels.
- Clarification was provided: the office currently has two full-time employees dedicated to economic development, plus auxiliary support.

#### **XV. Other Discussions:**

- Councilmember Srinivasan shared observations from the National League of Cities (NLC) leadership meeting, including concerns about harassment and threats to council members in larger cities, cybersecurity initiatives, and digital opportunity programs. Vice Mayor Sell reported on the VTA's unanimous vote to join Senate Bill 63, supporting regional transit. Councilmember Mellinger also raised concerns about a lack of access to retail resources. A moment of silence was held for Don Veith. Council expressed appreciation for staff who organized a field trip for Alviso elementary students to City Hall. The new two-story building at Sunnyvale Middle School, funded by the school district's bond measure, was also noted.

#### **XVI. Don Veith Memorial:**

- A moment of silence was held to honor Don Veith, a Sunnyvale resident and advocate for gun violence prevention, affordable housing, and fair wages.
- Don's work on Measure C (2013) was highlighted as a model for nationwide gun violence prevention legislation.
- He was also an early member of Livable Sunnyvale and a dedicated community advocate.
- His quiet leadership and commitment to improving the community were praised.