



City of Sunnyvale

Notice and Agenda City Council

Tuesday, July 28, 2020

5:30 PM

Telepresence Meeting: City Web Stream |
Comcast Channel 15

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

Special Teleconference Notice

Because of the COVID-19 emergency and the “shelter in place” orders issued by Santa Clara County and the State of California, the meeting of the Sunnyvale City Council on July 28, 2020, will take place by teleconference, as allowed by Governor Gavin Newsom’s Executive Order N-29-20.

- *Watch the City Council meeting on television over Comcast Channel 15, at <http://youtube.com/SunnyvaleMeetings> or <https://sunnyvaleca.legistar.com/calendar.aspx>.*
- *Submit written comments to the City Council up to 4 hours prior to the meeting to council@sunnyvale.ca.gov or by mail to City Clerk, 603 All America Way, Sunnyvale, CA 94086.*
- *Teleconference participation: You may provide audio public comment by connecting to the teleconference meeting online or by telephone. Use the Raise Hand feature to request to speak (*9 on a telephone):*

Meeting online link: <https://sunnyvale-ca-gov.zoom.us/j/96111580540>

Meeting call-in telephone number: 833-548-0276 | Meeting ID: 961 1158 0540

Pursuant to the Americans with Disabilities Act (ADA) and Executive Order N-29-20, if you need special assistance to provide public comment, contact the City at least 2 hours prior to the meeting in order for the City to make reasonable alternative arrangements for you to communicate your comments. For other special assistance, please contact the City at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility to this meeting. The Office of the City Clerk may be reached at (408) 730-7483 or cityclerk@sunnyvale.ca.gov (28 CFR 35.160 (b) (1)).

5:30 P.M. SPECIAL COUNCIL MEETING (Closed Session)**1 Call to Order**

Call to Order via teleconference.

2 Roll Call**3 Public Comment**

The public may provide comments regarding the Closed Session item(s). If you wish to address the Council, please refer to the notice at the beginning of this agenda. Closed Sessions are not open to the public.

4 Convene to Closed Session

[20-0664](#)

Closed Session Held Pursuant to California Government Code Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: Tina Murphy, Director of Human Resources; Kent Steffens, City Manager; Charles Sakai, Labor Attorney

Employee organization: Public Safety Officers Association (PSOA)

[20-0675](#)

Closed Session Held Pursuant to California Government Code Section 54957:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager

5 Adjourn Special Meeting**7 P.M. COUNCIL MEETING**

Pursuant to Council Policy, City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain. Information provided herein is subject to change from date of printing of the agenda to the date of the meeting.

CALL TO ORDER

Call to Order via teleconference.

ROLL CALL**CLOSED SESSION REPORT****ORAL COMMUNICATIONS**

This category provides an opportunity for members of the public to address the City Council on items not listed on the agenda and is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Mayor) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow the Council to take action on an item not listed on the agenda. If you wish to address the Council, please refer to the notice at the beginning of this agenda. Individuals are limited to one appearance during this section.

CONSENT CALENDAR

All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a member of the public would like a consent calendar item pulled and discussed separately, please refer to the notice at the beginning of this agenda.

1.A [20-0491](#) Approve City Council Meeting Minutes of July 14, 2020

Recommendation: Approve the City Council Meeting Minutes of July 14, 2020 as submitted.

1.B [20-0492](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Recommendation: Approve the list(s) of claims and bills.

1.C [20-0645](#) Approve Budget Modification No. 3 to Appropriate \$37,584 of US Department of Justice, Bureau of Justice Assistance FY20 Coronavirus Emergency Supplemental Funding Program Grant Funds for Department of Public Safety Health Screening and Personal Protective Equipment for First Responders

Recommendation: Approve Budget Modification No. 3 to appropriate US Department of Justice, Bureau of Justice Assistance FY 20 Coronavirus Emergency Supplemental Funding Program funds in the amount of \$37,584 to a new project, DPS COVID19 Health Screening Devices and PPE.

- 1.D [20-0408](#) Authorize City Manager or His Designee to Execute a First Amendment to the Small Cell License Agreement with GTE Mobilnet of California Limited Partnership, dba Verizon Wireless, to include 5G Design Guidelines

Recommendation: Authorize City Manager or His Designee to Execute a First Amendment to the Small Cell License Agreement with GTE Mobilnet of California Limited Partnership, dba Verizon Wireless, to include 5G Design Guidelines as in Attachment 1 to the report.

- 1.E [20-0501](#) Authorize the Issuance of a Purchase Order to L.N. Curtis & Sons for Self-Contained Breathing Apparatus for the Department of Public Safety and Approve Budget Modification No. 1 in the Amount of \$103,918 (F20-103)

Recommendation: Take the following actions:

- Authorize the issuance of a Purchase Order in the amount of \$1,045,977.98, excluding sales tax, in substantially the same form as Attachment 2 to the report to L.N. Curtis & Sons;
- Approve Budget Modification No. 1 in the amount of \$103,918.25 to provide additional funding.

- 1.F [20-0535](#) Award of Bid No. PW20-12 to G&G Builders, Inc. for Preschool Outdoor Play Area at Murphy Park, Finding of California Environmental Quality Act (CEQA) Categorical Exemption, Determination of Bidder Non-responsiveness and Waiver of Minor Bid Irregularity

Recommendation: Take the following actions:

- Make a determination that the bid received from SAE Consulting Engineers, Inc. is non-responsive due to the bidder not sufficiently documenting and demonstrating bid experience;
- Make a finding of a categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301;
- Make a determination to waive the minor bid irregularity for G&G Builders, Inc.;
- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$333,193 to G&G Builders, Inc.;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Approve a 10% construction contingency in the amount of \$33,319.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearing/general business item, please refer to notice at the beginning of this agenda. Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 5 minutes for closing comments.

- 2 [20-0607](#) Approve Recommendations for funding levels on Grant Applications for Fiscal Year 2020/21 for the Community Event and Neighborhood Grant Program; and Approve Program Changes to the Community Events and Neighborhood Grant Program

Recommendation: Alternative 1: Approve funding levels for grant applications for Fiscal Year 2020/21 for the Community Event and Neighborhood Grant Program; and approve program changes including changing the timeline from a fiscal to calendar year and increasing the funding cap for Neighborhood Grants to \$1,500.

- 3 [20-0656](#) Consideration of Funding Recommendations for the Sunnyvale Cares Nonprofit Grant Program Applications

Recommendation: Alternative 1: Approve the Ad Hoc Committee's recommendation and funding levels for the Sunnyvale Cares Nonprofit Grant Program.

- 4 [20-0648](#) Proposed Project: Related applications on a 0.82-acre site:
REZONE: Introduce an Ordinance to extend the PD
Combining District boundary to include the 585 and 595
Columbia Avenue parcels.
SPECIAL DEVELOPMENT PERMIT: To allow demolition of
existing residential structures and construction of 18-unit
residential subdivision consisting of three-story townhomes
with associated site improvements and deviations from
minimum rear setback, maximum distance between main
buildings and maximum distance to a trash enclosure, and
VESTING TENTATIVE MAP: To create 18 residential lots and
one common area lot.
Location: 475 N. Fair Oaks and 585 & 595 Columbia Ave.
File #: 2019-7415
Zoning: R-3/PD and R-3
Applicant / Owner: ADL 11 LLC (applicant) / Henry E
Shepherd Trustee and Chung Tai Intl Chan Buddhist Assn
(owner)
Environmental Review: Class 32 Categorical Exemption (Infill
Development)
Project Planner: Cindy Hom, 408-730-7411,
chom@sunnyvale.ca.gov

Recommendation: Alternative 1: Make the required Findings to approve the California Environmental Quality Act (CEQA) determination that the project is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15332 as noted in Attachment 6 to the report, and Introduce an Ordinance to Rezone part of the site to include the Planned Development combining district, and approve the Rezone, and Approve the Special Development Permit and Vesting Tentative Map subject to the findings in Attachment 4 to the report and recommended Conditions of Approval as modified by the Planning Commission in Attachment 5 to the report.

- 5 [20-0233](#) Adoption of the Draft 2020-2025 HUD Consolidated Plan and
Draft 2020 HUD Action Plan

Recommendation: Alternative 1: Adopt the draft 2020-2025 HUD Consolidated Plan as shown in Attachment 1 to the report.
Alternative 3: Adopt the draft 2020 HUD Action Plan as shown in Attachment 2 to the report.

- 6 [20-0512](#) Adopt a Resolution Confirming the Report and Assessment List for Unpaid Administrative Citations to be Placed on the FY 2020/21 County of Santa Clara Property Tax Roll, and Find that this Action is Exempt from CEQA

Recommendation: Alternative 1: Adopt a Resolution confirming the Report and Assessment List for unpaid administrative fines to be placed on the FY 2020/21 County of Santa Clara Property Tax Roll and find that the Action is Exempt from CEQA pursuant to CEQA Guidelines section 15378 (b) (4).

- 7 [20-0641](#) Adopt a Resolution Amending the City's Salary Resolution and Schedule of Pay to Replace the Control Point with a Salary Range for the City Attorney Classification; and Authorize the Mayor to Execute an Amendment to the Employment Agreement between the City of Sunnyvale and City Attorney John A. Nagel to Increase the Salary by Five Percent.

Recommendation: Staff makes no recommendation. This report is developed to facilitate a conversation for the public hearing and action by the City Council.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

Visit <http://Sunnyvale.ca.gov/TCMAC> to view the Tentative Council Meeting Agenda Calendar (TCMAC) online. The TCMAC is updated each Thursday afternoon.

[20-0608](#) Tentative Council Meeting Agenda Calendar

- [20-0630](#) Board/Commission Meeting Minutes
- [20-0647](#) Information/Action Items
- [20-0424](#) Notice of Public Works Director's Decision on Final Maps (Information Only)
- [20-0670](#) Boards and Commissions Semi-Annual Attendance Report, January to June 2020 (Information Only)

ADJOURNMENT

NOTICE TO THE PUBLIC

The agenda reports to council (RTCs) may be viewed on the City's website at sunnyvale.ca.gov after 7 p.m. on Thursdays or in the Office of the City Clerk located at 603 All America Way, prior to Tuesday City Council meetings. Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, during normal business hours and in the Council Chamber on the evening of the Council Meeting, pursuant to Government Code §54957.5. Please contact the Office of the City Clerk at (408) 730-7483 to access City Hall to view these materials and for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Planning a presentation for a City Council meeting?

To help you prepare and deliver your public comments, please review the "Making Public Comments During City Council or Planning Commission Meetings" available at <http://Sunnyvale.ca.gov/PublicComments>

Planning to provide materials to Council?

If you wish to provide the City Council with copies of your presentation materials,

please provide 12 copies of the materials to the Office of the City Clerk. The City Clerk will distribute your items to the Council following the meeting.

Upcoming Meetings

Visit <https://sunnyvaleca.legistar.com> for upcoming Council, board and commission meeting information.