



City of Sunnyvale

Notice and Agenda City Council

Tuesday, August 31, 2021

5:30 PM

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

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

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

Because of the COVID-19 emergency and the “shelter in place” orders issued by Santa Clara County and the State of California, this meeting of the Sunnyvale City Council will take place by teleconference, as allowed by Governor Gavin Newsom’s Executive Orders N-29-20 and N-08-21.

- *Watch the City Council meeting on television over Comcast Channel 15, AT&T Channel 99, 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 (Study Session)**Call to Order**

Call to Order via teleconference.

Roll Call**Study Session**

The public may provide comments regarding the Study Session item(s). If you wish to address the Council, please refer to the notice at the beginning of this agenda.

A [21-0023](#) Recreation Administrative Pricing and Revenue Strategies

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**SPECIAL ORDER OF THE DAY**

B [21-0353](#) Library Card Sign-Up Month

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 [21-0050](#) Approve City Council Meeting Minutes of August 10, 2021

Recommendation: Approve the City Council Meeting Minutes of August 10, 2021 as submitted.

1.B [21-0051](#) Approve City Council Meeting Minutes of August 17, 2021
(Board and Commission Interviews)

Recommendation: Approve the City Council Meeting Minutes of August 17, 2021 as submitted.

1.C [21-0255](#) 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.D [21-0800](#) Approve Budget Modification No. 5 in the Amount of \$500,000
to Provide Reimbursable Grant Funding for the 2023-2031
Housing Element, Village Centers Master Precise Plan, and
Santa Clara County Planning Collaborative

Recommendation: Approve Budget Modification No. 5 in the amount of \$500,000 for planning consultant services for the preparation of the 2023-2031 Housing Element of the General Plan; planning consultant services and staff time for the preparation of the Village Centers Master Precise Plan; and planning consultant services for the Santa Clara County Planning Collaborative.

1.E [21-0787](#) Award of Contract to Spencon Construction, Inc. for the
Concrete Sidewalk, Curb, Gutter and Driveway Approaches
2021 Project (PW21-07), Finding of California Environmental
Quality Act (CEQA) Categorical Exemption, and Approve
Budget Modification No. 7

Recommendation: Take the following actions:

- Make a finding of categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c);
- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$655,993 to Spencon Construction, Inc. of San Ramon;
- Approve Budget Modification No. 7 in the amount of \$99,000 to provide additional project funding;
- 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 \$65,599.

- 1.F [21-0838](#) Authorize Amending an Existing Contract with Carollo Engineers, Inc. for the Sunnyvale Cleanwater Program Plant Rehabilitation Project for Engineering Design Services (F22-006)

Recommendation: Take the following actions:

- Authorize the City Manager to execute the First Amendment to an existing contract with Carollo Engineers, Inc., in substantially the same format as Attachment 1 to the report, increasing the not-to-exceed contract amount by \$946,582 for a new not-to-exceed contract amount of \$8,399,192; and
- Approve an additional contingency for the Carollo Engineers, Inc. contract in the amount of \$347,604.20 for a new contingency amount of \$1,079,176.20.

- 1.G [21-0795](#) Appoint Kirk Vartan and Nate Williams to the NOVA Workforce Board

Recommendation: Appoint Kirk Vartan and Nate Williams to the NOVA Workforce Board.

- 1.H [21-0777](#) Adopt a Resolution Extending the City's Declaration of Local Emergency for COVID-19

Recommendation: Adopt a Resolution Extending the City Manager/Director of Emergency Services' Proclamation of Existence of a Local Emergency (COVID-19).

- 1.I [21-0661](#) Adopt a Resolution to Endorse the 2020-2025 Santa Clara

County Community Plan to End Homelessness

Recommendation: Adopt a Resolution to Endorse the 2020-2025 Santa Clara County Community Plan to End Homelessness.

- 1.J [21-0818](#) Adopt a Resolution Amending the Classification Plan and the City's Salary Resolution to Add the Classification of Equity, Access, and Inclusion Manager and Update the Schedule of Pay to include the new classification and a Part Time Deputy City Clerk

Recommendation: Alternative 1: Adopt a Resolution Amending the Classification Plan and the City's Salary Resolution to Add the Classification of Equity, Access, and Inclusion Manager and Update the Schedule of Pay to include the new classification and a Part Time Deputy City Clerk, effective September 5, 2021.

- 1.K [21-0842](#) Adopt a Long-term Advocacy Position (LAP) Related to Governor Gavin Newsom's Executive Order N-08-21

Recommendation: Staff makes no recommendation. Upon approval of the consent calendar, Council approves a new long-term advocacy position as presented:

"Urge the Governor to extend Executive Order N-08-21 and any other issued executive orders and to issue new executive orders as necessary, to continue to help Sunnyvale respond to, recover from, or mitigate the impacts of the COVID-19 pandemic."

- 1.L [21-0854](#) Adopt a Long-term Advocacy Position (LAP) Related to the County of Santa Clara Supervisorial Districts that Represent the City of San Jose

Recommendation: Staff makes no recommendation. Upon approval of the consent calendar, Council approves a new long-term advocacy position as presented:

"Urge the Santa Clara County Board of Supervisors to draw supervisorial districts as a numerical representation of the City of San Jose's population so that the number of County supervisors representing San Jose does not exceed three County supervisors."

- 1.M** [21-0841](#) Adopt Ordinance No. 3180-21 to Amend Section 2.28.030 of Title 2 (Administration and Personnel) of the Sunnyvale Municipal Code to Reduce the Number of Signatures Required for District Council Candidates Submitting In-Lieu Petitions for City-Paid Publication Costs of City Council Candidate Statements

Recommendation: Adopt Ordinance No. 3180-21 to amend Section 2.28.020 of Title 2 (Administration and Personnel) of the Sunnyvale Municipal Code to reduce the number of signatures required for district Council candidates submitting in-lieu petitions for City-paid publication costs of City Council candidate statements.

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** [21-0863](#) Resolution in Support of People in Afghanistan

Recommendation: Staff makes no recommendation.

- 3** [21-0072](#) Review Data Collected for the Temporary Eastbound Tasman Drive Lane Closure During COVID-19 Pandemic and Consider Whether to Extend the Lane Closure as Employees Begin to Return to Workplace

Recommendation: Alternative 1: Direct staff to remove the temporary eastbound lane closure on Tasman Drive between Fair Oak Avenue and Vienna Drive and restore the travel lane for normal usage.

- 4** [21-0659](#) Remove On-Street Parking for the Northbound Direction on Willow Avenue between Reed Avenue and Aster Avenue and to Install Class IIB Buffered Bicycle Lane on Both Sides of the Street Per the Active Transportation Plan and Find That This Action is Exempt from the California Environmental Quality Act

Recommendation: Alternative 1: Remove On-Street Parking for the Northbound Direction on Willow Avenue between Reed Avenue and Aster Avenue and to Install Class IIB Buffered Bicycle Lane on Both Sides of the Street Per the Active Transportation Plan and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (c)

- 5 [21-0162](#) Appoint Applicants to the Bicycle and Pedestrian Advisory Commission and the Heritage Preservation Commission

Recommendation: Staff makes no recommendation.

- 6 [21-0737](#) Approve the Purchase and Sale Agreement Between the City of Sunnyvale and Edward W. and Kathryn A. Woodhall Trust for the Purchase of 970 W. Evelyn Avenue (APN: 165-20-017) and Approve Budget Modification No. 6 in the Amount of \$8,580,000

Recommendation: Alternative 1: Authorize the City Manager to execute the Purchase and Sale Agreement, in substantially the same form as Attachment 1 to the report, and any other necessary documents for the purchase of real property located at 970 W. Evelyn Avenue for \$8,500,000, approve Budget Modification No. 6 in the amount of \$8,580,000 and sign any lease documents to transfer the lease to the City or extend it until the Project starts and direct that the property not be used for the purposes of the Mary Avenue grade separation until CEQA review for that project has been completed and the project is approved in compliance with CEQA.

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.

21-0176	Tentative Council Meeting Agenda Calendar
21-0720	Board/Commission Meeting Minutes
21-0786	Information/Action Items
21-0839	Board/Commission Resignation (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.