



City of Sunnyvale

Notice and Agenda City Council

Tuesday, April 25, 2023

5:00 PM

Online and Bay Conference Room
(Room 145), City Hall,
456 W. Olive Ave.,
Sunnyvale, CA 94086

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

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

Public Participation

- *In-person participation: You may provide public comment by filling out a speaker card (optional) and giving it to the City Clerk.*
- *Online participation: You may provide audio public comment by connecting to the 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
(*9 to request to speak | *6 to unmute/mute)*

- *Watch the City Council meeting at <http://youtube.com/SunnyvaleMeetings> or on television over Comcast Channel 15, AT&T Channel 99*
- *Submit written comments to the City Council no later than 4 hours prior to the meeting start to council@sunnyvale.ca.gov or by mail to:
City Clerk, 456 W. Olive Ave., Sunnyvale, CA 94086*
- *Review recordings of this meeting and past meetings at
<https://sunnyvaleca.legistar.com/calendar.aspx> or
<http://youtube.com/SunnyvaleMeetings>*

Accessibility/Americans with Disabilities Act (ADA) Notice

Pursuant to the Americans with Disabilities Act (ADA), if you need special assistance to provide public comment, or 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 P.M. SPECIAL COUNCIL MEETING (Study Session)

TELECONFERENCE NOTICE

Pursuant to Government Code Section 54953(b), this special City Council meeting will include teleconference participation by Mayor Larry Klein from: Element Bend, The Bulletin Conference Room, 1526 NW Wall Street, Bend, OR 97703. This Notice and Agenda will be posted at the teleconference location. Public comment from this address shall be allowed pursuant to Government Code Section 54954.3.

Call to Order

Call to Order in the Bay Conference Room (Room 145).

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 [23-0398](#) Equity, Access and Inclusion Training and Update

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.

TELECONFERENCE NOTICE

Pursuant to Government Code Section 54953(b), this regular City Council meeting will include teleconference participation by Mayor Larry Klein from: Element Bend, The Bulletin Conference Room, 1526 NW Wall Street, Bend, OR 97703.

This Notice and Agenda will be posted at the teleconference location. Public comment from this address shall be allowed pursuant to Government Code Section 54954.3.

CALL TO ORDER

Call to Order in the Bay Conference Room (Room 145).

SALUTE TO THE FLAG**ROLL CALL****SPECIAL ORDER OF THE DAY**

- B [23-0368](#) Small Business Week
- C [23-0369](#) Asian Pacific American (APA) Heritage Month
- D [23-0371](#) Arab-American Heritage Month
- E [23-0367](#) Library Week

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 [23-0293](#) Approve City Council Meeting Minutes of March 14, 2023

Recommendation: Approve the City Council Meeting Minutes of March 14, 2023 as submitted.

- 1.B [23-0050](#) Approve City Council Meeting Minutes of March 21, 2023
- Recommendation:** Approve the City Council Meeting Minutes of March 21, 2023 as submitted.
- 1.C [23-0267](#) 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 [23-0496](#) Adopt a Resolution Amending the Classification Plan and the City's Salary Resolution to Add the Classification of Homeless Services Manager and Update the Schedule of Pay
- Recommendation:** Adopt a Resolution to Amend the Classification Plan and the City's Salary Resolution to Add the New Classification of Homeless Services Manager and Make Corresponding Updates to the Schedule of Pay Effective April 30, 2023.
- 1.E [23-0426](#) Receive and File the FY 2021/22 Annual Agreed Upon Procedure Audit Reports
- Recommendation:** Receive and file the Agreed Upon Procedure Reports.
- 1.F [23-0210](#) Authorize the Issuance of a Purchase Agreement to Reed & Graham, Inc. for Asphaltic Materials and Pavement Reinforcement Fabric (F23-065)
- Recommendation:** Take the following actions:
- Authorize the issuance of a Purchase Agreement with Reed & Graham, Inc. in a not-to-exceed amount of \$1,535,000; and
 - Authorize the City Manager to amend the not-to-exceed amount and to renew the contract for four (4) additional one-year periods, subject to available budget and if pricing and services remain acceptable to the City.
- 1.G [23-0487](#) Award a Contract to Storm Water Inspection & Maintenance Services Inc. for Manufacturing and Installing 350 Full Trash Capture Devices (F23-116)

Recommendation: 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 \$473,412.00 to Storm Water Inspection & Maintenance Services Inc. for the manufacture and installation of 350 Stormtek ST3G Connector Pipe Screens;
- Authorize the City Manager to execute the Agreement when all conditions have been met; and
- Approve a 10% contingency in the amount of \$47,340.

- 1.H [23-0185](#) Authorize the Public Works Director, or Designee, to Execute a Change Order in the Amount of \$5,100,000 for the Contract with C. Overaa & Co. for Primary Treatment Facility Package 2 Settle a Construction Claim Related to PG&E Delays and Other Associated Delay Claims and Approve Budget Modification No. 19 in the Amount of \$5,200,000

Recommendation: Take the following actions:

- Authorize the Public Works Director, or Designee, to Execute a Change Order, in substantially the same form as Attachment 1 to the Report, in the Amount of \$5,100,000 for the Contract with C. Overaa & Co. for Primary Treatment Facility Package 2 to Settle a Construction Claim Related to PG&E Delays and Other Associated Delay Claims; and
- Approve Budget Modification No. 19 in the amount of \$5,200,000.

- 1.I [23-0443](#) Reject all Bids Received for South Hill Slope Repair project (F23-060)

Recommendation: Take the following action:

- Reject all bids received in response to Invitation for Bids F23-060 South Hill Slope Repair Project

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 [23-0515](#) Introduce an Ordinance to Add Chapter 19.71 of Title 19 of the Sunnyvale Municipal Code Creating a Residential Tenant

Protections Program (Study Issue)

Recommendation: Alternative 1: Introduce an Ordinance (Attachment 6) to add Chapter 19.71 (Residential Tenant Protections Ordinance) to Title 19 ("Zoning") of the Sunnyvale Municipal Code creating a Residential Tenant Protections Program.

- 3 [23-0069](#) Evaluation of Wi-Fi Installation in the Community Center Grounds Renovation Project (PR-21-05)

Recommendation: Alternative 1: Approve Wi-Fi installation for Common Area Coverage to be included in the Community Center Grounds Renovation Project and direct staff to add associated operating funds to the operating budget.

- 4 [23-0350](#) Consider Adoption of a Resolution to Oppose Initiative 21-0042A1 Sponsored by the California Business Roundtable, Also Known as "The Taxpayer Protection and Government Accountability Act," Which has Qualified for the November 2024 Ballot

Recommendation: Alternative 1: Adopt a Resolution (Attachment 1) to oppose Initiative 21-0042A1 or "The Taxpayer Protection and Government Accountability Act" and Find that the Action is not a project under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378 (a).

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.

[23-0290](#) Board/Commission Meeting Minutes

[23-0299](#) Tentative Council Meeting Agenda Calendar

- [23-0300](#) Information/Action Items
- [23-0297](#) Notice of Public Works Director's Decision on Final Maps
(Information Only)
- [23-0255](#) Moffett Park Specific Plan Pros and Cons of Taller Buildings
(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 at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), 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 on the fourth floor of City Hall at 456 W. Olive Avenue, during normal business hours and in the Bay Conference Room (Room 145) 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 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.

Upcoming Meetings

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