



City of Sunnyvale

Notice and Agenda City Council

Tuesday, April 9, 2024

5:00 PM

Online and Council Chambers, City Hall,
456 W. Olive Ave., Sunnyvale, CA 94086

**Special Meeting: Closed Session - 5 PM | Special Meeting: Study Session - 6 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.*

As a courtesy, and technology permitting, members of the public may also attend online. However, the City cannot guarantee that the public's access to online technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Ralph M. Brown Act, the meeting will continue despite technical difficulties for participants using the online option.

The Mayor may determine it would be impractical to include remote public comment during Oral Communications.

• *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 (Closed Session)

Call to Order

Call to Order in the Council Chambers (Open to the Public).

Roll Call

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.

Convene to Closed Session

Convene to Closed Session in the Council Conference Room (Closed to the Public).

- A** [24-0471](#) Closed Session Held Pursuant to California Government Code Section 54956.9: CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (Paragraph (1) of Subdivision (d) of Section 54956.9) Name of Case: City of Sunnyvale v. Sunnyvale Partners Ltd., Santa Clara County Superior Court Case No. 23CV027736

Adjourn Special Meeting

6 P.M. SPECIAL COUNCIL MEETING (Study Session)

Call to Order

Call to Order in the Council Chambers

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.

B [24-0083](#) Civic Center Phase 2: Main Library Project 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.

CALL TO ORDER

Call to Order in the Council Chambers

SALUTE TO THE FLAG**ROLL CALL****CLOSED SESSION REPORT****SPECIAL ORDER OF THE DAY**

C [24-0330](#) Recognition of Green Businesses

D [24-0328](#) Fair Housing Month

E [24-0329](#) Earth Month

ORAL COMMUNICATIONS

The Mayor may determine it would be impractical to include remote public

comment during Oral Communications for the purpose of timeliness of the meeting or conducting an orderly meeting. Such a determination shall be made prior to opening public comment on 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 [24-0376](#) Approve City Council Meeting Minutes of March 19, 2024

Recommendation: Approve the City Council Meeting Minutes of March 19, 2024 as submitted.

1.B [24-0396](#) 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 [24-0467](#) Approve Budget Modification No. 19 in the Amount of \$2,273,226 for the Permanent Local Housing Allocation Grant Program to Complete Housing Projects and Address Unmet Housing Needs in Sunnyvale

Recommendation: Approve Budget Modification No. 19 in the amount of \$2,273,226 for the Permanent Local Housing Allocation Grant Program to complete housing projects and address unmet housing needs in Sunnyvale.

1.D [24-0416](#) Authorize the Issuance of two (2) Three-Year Purchase Agreements to L.C. Action Police Supply in the Amount of \$600,000 and Summit Uniforms, LLC in the Amount of

\$600,000 for Uniforms, Equipment, and Alterations (F24-049)
for the Sunnyvale Department of Public Safety

Recommendation: Take the following actions:

- Authorize the issuance of a three-year purchase agreement in the amount of \$600,000 to LC Action Police Supply for uniforms and equipment;
- Authorize the issuance of a three-year purchase agreement in the amount of \$600,000 to Summit Uniforms for uniforms, equipment, and alterations;
- Authorize the City Manager to execute the agreements when all conditions have been met; and
- Authorize the City Manager to amend and renew the purchase agreements for up to two (2) additional one-year periods, subject to available budget, if pricing and service remain acceptable to the City.

1.E [24-0179](#)

Award of Consultant Service Agreement in the Amount of \$388,944.89 to Kimley-Horn and Associates, Inc. to Study Improvements to Bicycle and Pedestrian Access at Sunnyvale Caltrain Station (F23-169) and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15262

Recommendation: Take the following actions:

- Award a Consultant Service Agreement in substantially the same form as Attachment 1 to the report in an amount not-to-exceed \$388,944.89 to Kimley-Horn and Associates, Inc. of Raleigh, NC;
- Approve a 10% contingency in the amount of \$38,894.49;
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Find the Project exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15378(a).

1.F [24-0415](#)

Award of Contract in the Amount of \$2,095,507.09 to PC, Inc. for the Department of Public Safety Emergency Generator Replacement Re-Bid, Waiver of Minor Bid Irregularities, Finding of California Environmental Quality Act (CEQA) Categorical Exemption Pursuant to CEQA Guidelines Section 15301(c), and Approve Budget Modification No. 15 in the Amount of \$344,659 (PW24-02)

Recommendation: Take the following actions:

- Award a contract in substantially form as Attachment 2 to the report in the amount of \$2,095,507.09 to PC, Inc.;
- Approval of a 10% construction contingency in the amount of \$209,551;
- Authorize the City Manager to execute the contract when all necessary conditions have been met;
- Waive the minor irregularities for the bids from A CST Group Inc. DBA Dynasel USA and California Plus Engineering, Inc.;
- Make a finding of a categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c); and
- Approve a Budget Modification No. 15 in the amount of \$344,659.

- 1.G** [24-0514](#) Adopt a Resolution Amending the City's Salary Resolution and Schedule of Pay to Increase the Salary for the Classification of Public Safety Communications Manager Effective April 14, 2024

Recommendation: Adopt a Resolution amending the City's Salary Resolution and Schedule of Pay to increase the Salary for the Classification of Public Safety Communications Manager effective April 14, 2024.

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** [24-0280](#) Approve Art in Private Development Project - Hunter Properties/Cityline, Titled Redwood Blue (Phase 2, Artwork 3 of 4)

Recommendation: Alternative 1: Approve Art in Private Development Project - Hunter Properties/Cityline, titled Redwood Blue (Phase 2, Artwork 3 of 4)

- 3** [24-0429](#) Direction on Modifications to ITD Study Issues ITD 23-01(Access Sunnyvale CRM System) and ITD 23-02 (Development of Sunnyvale App) and Consider Budget

Modification No. 17

Recommendation: Staff recommends Alternative 1 and Alternative 3.

- 4 [24-0519](#) Authorize the City Manager to Execute a Purchase and Sale Agreement Between the City of Sunnyvale and Collins Exempt Holdings LLC and Collins Family Holdings LLC for the Purchase of 922 E. California Avenue, and Approve Budget Modification No. 21 in the Amount of \$4,406,800

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, negotiate additional terms or timelines as necessary and sign all needed documents to close the transaction for the purchase of real property located at 922 E. California Avenue for \$4,356,800, and approve Budget Modification No. 21 in the amount of \$4,406,800.

- 5 [24-0295](#) Approve Budget Modification No. 14 in the Amount of \$36,955 to Enable Study of Changes to Chapter 3 of the Citywide Objective Design Standards for Multi-Family Residential and Mixed-Use Developments

Recommendation: Alternative 2: Approve Budget Modification No. 14 for \$36,955 to examine Chapter 3 of the Citywide Objective Design Standards for Multi-Family Residential and Mixed-Use Developments and come back by Summer 2025 to allow time to have some projects under review.

- 6 [24-0075](#) Proposed Project: Adopt an Interim Urgency Ordinance to Extend Urgency Ordinance No. 3225-24 (adopted on February 27, 2024) to May 9, 2024 to Amend By-Right Approval (Chapter 19.73) to the Sunnyvale Municipal Code to clarify ministerial review of projects as it relates to proposed subdivisions.

File #: PLNG-2024-0105

Location: Citywide

Applicant: City of Sunnyvale

Environmental Review: Non-discretionary project (Public Resources Code Section 21080(b)(1), CEQA Guidelines Sections 15268, 15357)

Project Planner: Julia Klein, (408) 730-7463,
jklein@sunnyvale.ca.gov

Recommendation: Alternatives 1 and 2:

1. Find that the Action is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(1) and CEQA Guidelines Section 15268 and 15357.
2. Adopt an Interim Urgency Ordinance to extend Urgency Ordinance No. 3225-24 (adopted on February 27, 2024) to May 9, 2024 in Attachment 1 to amend provisions for By-Right Approvals that include subdivisions (previously adopted Urgency Ordinance).

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**NON-AGENDA ITEMS & COMMENTS****-Council**

F [24-0520](#) Colleagues Memorandum: Vision Zero

-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.

[24-0033](#) Tentative Council Meeting Agenda Calendar

[24-0400](#) Board/Commission Meeting Minutes

[24-0401](#) Information/Action Items

[24-0543](#) Council Advocacy Letters

ADJOURNMENT**Language Access and Translation****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 Council Chambers 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.