



City of Sunnyvale

Notice and Agenda City Council

Tuesday, May 21, 2019

4:30 PM

Council Chambers and West Conference
Room, City Hall, 456 W. Olive Ave.,
Sunnyvale, CA 94086

Special Meeting: Closed Session - 4:30 PM | Special Meeting - 6 PM | Regular Meeting - 7 PM

4:30 P.M. SPECIAL COUNCIL MEETING (Closed Session)

1 Call to Order in the West Conference Room

2 Roll Call

3 Public Comment

The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.

4 Convene to Closed Session

[19-0279](#)

4:30 P.M. SPECIAL COUNCIL MEETING (Closed Session)
Closed Session held pursuant to California Government Code
Section 54957:
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Attorney

[19-0390](#)

Closed Session held pursuant to California Government Code
Section 54957:
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager

[19-0580](#)

CONFERENCE WITH LEGAL COUNSEL-PENDING
LITIGATION
Closed Session held pursuant to California Government Code
Section 54956.9(d)(1):
Name of Case: David Meinhardt v. City of Sunnyvale
Personnel Board, et al. Case No. 19-CV-346911

5 Adjourn Special Meeting**6 P.M. SPECIAL COUNCIL MEETING (Special Order of the Day)****1 Call to Order in the Council Chambers (Open to the Public)****2 Roll Call****3 Public Comment****4 Special Order of the Day**[19-0093](#)

6 P.M. SPECIAL COUNCIL MEETING

SPECIAL ORDER OF THE DAY - Department of Public Safety

Special Awards

Location: Council Chambers

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 in the Council Chambers (Open to the Public)

SALUTE TO THE FLAG**ROLL CALL****CLOSED SESSION REPORT****SPECIAL ORDER OF THE DAY**[19-0531](#)

SPECIAL ORDER OF THE DAY - Asian Pacific American
(APA) Heritage Month

[19-0294](#) SPECIAL ORDER OF THE DAY - National Public Works Week

[19-0314](#) SPECIAL ORDER OF THE DAY - Municipal Clerks 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 complete a speaker card and give it to the City Clerk. 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 submit a speaker card to the City Clerk prior to the start of the meeting or before approval of the consent calendar.

1.A [19-0513](#) Approve City Council Meeting Minutes of May 7, 2019.

Recommendation: Approve the City Council Meeting Minutes of May 7, 2019 as submitted.

1.B [19-0432](#) Approve City Council Meeting Minutes of May 14, 2019

Recommendation: Approve the City Council Meeting Minutes of May 14, 2019 as submitted.

1.C [19-0332](#) 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** [19-0301](#) Approve the FY 2019/20 Preliminary Engineer's Report for the Downtown Parking District Assessment, Adopt a Resolution of Intention to Levy and Collect an Assessment for the Downtown Parking Maintenance District for FY 2019/20, and Set the Date of June 25, 2019 for the Public Hearing on the Proposed Assessment

Recommendation: Approve the Fiscal Year (FY) 2019/20 preliminary Engineer's Report for the Downtown Parking District Assessment, adopt a Resolution of Intention to Levy and Collect an Assessment for the Downtown Parking Maintenance District for FY 2019/20, and set the date of June 25, 2019 for the public hearing on the levy of the proposed Assessment

- 1.E** [19-0461](#) Adopt a Resolution to Authorize the Filing of Fiscal Year 2019/20 Transportation Development Act (TDA) Article 3 Application for the Design and Implementation of Pedestrian and Bicycle Safety Improvements at the Intersection of Fremont Avenue and Manet Drive/Bobwhite Avenue

Recommendation: Adopt a resolution authorizing the filing of Fiscal Year 2019/20 Transportation Development Act Article 3 application requesting MTC for an allocation of \$172,712 for FY 2019/20 to be used for the design and implementation of pedestrian and bicycle safety improvements at the intersection of Fremont Avenue and Manet Drive/Bobwhite Avenue.

- 1.F** [19-0489](#) Approval of Modifications to the Local and Regional Workforce Development Strategic Plans

Recommendation: Approve modifications to the NOVA Local Workforce Development Strategic Plan and the Bay-Peninsula Regional Workforce Development Strategic Plan.

- 1.G** [19-0490](#) Approve Application for Subsequent Local Area Designation and Local Workforce Board Recertification for NOVA Workforce Development Area

Recommendation: Approve application for subsequent Local Area designation and Local Workforce Board recertification for NOVA Workforce Development Area.

- 1.H [19-0439](#) Receive and File the City of Sunnyvale Investment Report - 1st Quarter 2019

Recommendation: Receive and file the City of Sunnyvale - First Quarter 2019 Investment Report.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearing/general business item, please fill out a speaker card and give it to the City Clerk. You will be recognized at the time the item is being considered by Council. 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 [19-0448](#) Consider Below Market Rate Alternative Compliance Plans for Residential Development at 1142 Dahlia Court. Applicant: Trumark Homes; Planning Files 2018-7989 and 2018-7451.

Recommendation: Alternative 1: Approve the Applicant's BMR Alternative Compliance Plan for the project located at 1142 Dahlia Court, as shown in Attachment 2 to the report.

- 3 [19-0523](#) Authorize the City Manager or His Designee to Execute a Small Cell License Agreement with New Cingular Wireless PCS, LLC, d/b/a AT&T Wireless and Delegate Authority for Term Extensions and Find the Project Categorically Exempt under CEQA

Recommendation: Alternative 1: Authorize the City Manager or his designee to execute the Small Cell License Agreement, in substantially the same form as in Attachment 1 to the report, with New Cingular Wireless PCS, LLC, d/b/a AT&T Wireless and authorize the City Manager or his designee to extend the term for two (2) additional five (5) year terms, and make a finding and make a finding that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15302 and 15303.

Using City street light poles offers several advantages over the current practice of using wooden power poles as a host for small cell installations. Street light poles are typical hollow allowing wiring to be concealed and a more consistent installation depending on pole type. In some cases, poles will be replaced which renews City assets at no cost to the City. City poles offer new options for areas with coverage gaps, taking pressure off the limited number of wooden poles, particularly where utilities have been undergrounded.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

[19-0514](#) Tentative Council Meeting Agenda Calendar

[19-0516](#) Information/Action Items

[19-0517](#)

Board/Commission Meeting Minutes

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 Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays 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, Sunnyvale, California 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 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.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.160 (b) (1))

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 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 City Clerk (located to the left of the Council dais). 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.