



# City of Sunnyvale

## Notice and Agenda City Council

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Tuesday, December 3, 2019

4:30 PM

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

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**Special Meeting: Closed Session - 4:30 PM | Special Meeting: Study Session - 5:30 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**

[19-0276](#)

Closed Session Held Pursuant to California Government Code  
Section 54957:  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: City Manager and City Attorney

#### **5 Adjourn Special Meeting**

### **5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)**

#### **1 Call to Order in the West Conference Room (Open to the Public)**

#### **2 Roll Call**

#### **3 Public Comment**

#### **4 Study Session**

[19-1040](#)

Board and Commission Interviews

[19-0263](#) Discussion of 2020 Council Intergovernmental Assignments

[19-0234](#) Discussion of Upcoming Selection of Vice Mayor for 2020

## **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**

### **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 [19-0119](#) Approve City Council Meeting Minutes of November 12, 2019

**Recommendation:** Approve the City Council Meeting Minutes of November 12, 2019 as submitted.

- 1.B [19-0998](#) 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 [19-1203](#) Receive and File the City of Sunnyvale Investment Report - 3rd Quarter 2019

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

- 1.D [19-1134](#) Modify a Purchase Order with Ingram Library Services, Inc. for Purchase of Library Printed Materials and Pre-Processing Services (F20-069)

**Recommendation:** Authorize the City Manager to amend the existing Purchase Order with Ingram Library Services, Inc., in substantially the same format as Attachment 1 to the report, increasing the not-exceed amount by \$12,000 for a new total not-to-exceed amount of \$108,000 and to extend the termination date until November 30, 2019.

- 1.E [19-1200](#) Adopt a Resolution Enabling the City of Sunnyvale to Submit Application(s) for all CalRecycle Grants for Which the City of Sunnyvale is Eligible

**Recommendation:** Adopt the Resolution Enabling the City of Sunnyvale to Submit Application(s) for all CalRecycle Grants for which the City of Sunnyvale is Eligible.

- 1.F [19-1037](#) Adopt a Resolution to Authorize a Priority Development Area in Moffett Park and Find that the action is exempt from CEQA

**Recommendation:** Adopt the Resolution (Attachment 1 to the report) authorizing the filing of an application for Priority Development Area designation in Moffett Park under the Plan Bay Area 2040 Program and Find that the action is exempt from CEQA.

- 1.G [19-1024](#) Adopt a Resolution Approving the Application for Senate Bill (SB) 2 Planning Grant Funds from the California Department of Housing and Community Development and Find that the

Action is Exempt from CEQA.

**Recommendation:** Find that the action is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(4) and (b)(5) and adopt the Resolution ratifying and approving the City's application for SB2 Planning Grant Funds (Attachment 1 to the report).

**1.H**     [19-1231](#)

Ratify Appointment of Councilmember Nancy Smith to the League of California Cities Policy Committee on Housing, Community and Economic Development for the 2019/20 Term; Ratify Appointment of Vice Mayor Russ Melton to the League of California Cities Policy Committee on Revenue and Taxation for the 2019/20 Term

**Recommendation:** Staff makes no recommendation.  
By approval of the consent calendar, Council ratifies Councilmember Smith's appointment to the League of California Cities Policy Committee on Housing, Community and Economic Development for the 2019/20 Term and Vice Mayor Russ Melton's appointment to the League of California Cities Policy Committee on Revenue and Taxation for the 2019/20 Term.

## **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**        [19-0679](#)

Introduce an Ordinance Amending Chapter 2.28 (Elections) of Title 2 (Administration and Personnel) of the Sunnyvale Municipal Code to Add Provisions Relating to City Council District Elections, Adopting a Map Describing District Boundaries and Establishing District Election Sequencing

**Recommendation:** Alternative 1: Introduce an Ordinance Amending Chapter 2.28 (Elections) of Title 2 (Administration and Personnel) of the Sunnyvale Municipal Code to Add Provisions Relating to City Council District Elections, Adopting a Map Describing District Boundaries and Establishing District Election Sequencing.

- 3      [19-1252](#)      Consider Adoption of an Emergency Ordinance Under Sunnyvale City Charter Section 701 to Implement Tenant Eviction Protections and Limit Large Rental Rate Increases Effective Immediately and Retroactive to October 8, 2019, to Avoid Circumvention of AB 1482

**Recommendation:** Staff makes no recommendation.

- 4      [19-1201](#)      Approve a New Council Policy on Display of Ceremonial and/or Commemorative Flags at City Hall (Study Issue); and Adopt a Resolution in Accordance with Such Policy to Authorize the Annual Display of the Pride Flag at City Hall

**Recommendation:** Approve Alternatives 1 and 2: Approve a new Council Policy No. 7.3.30 (Display of Ceremonial and/or Commemorative Flags at City Hall); and Adopt a Resolution in accordance with such Policy, to authorize the annual display of the Pride Flag at City Hall from June 1 to June 30.

- 5      [19-1145](#)      Award of Bid No. PW20-03 to Hagensen Pacific Construction, Inc. for the Washington Community Swim Center and Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project

**Recommendation:** Take the following actions:

- Make the findings required by the California Environmental Quality Act as stated in the MND, as Attachment 2 to the report, adopt the Final Mitigated Negative Declaration, as Attachment 3 to this report, and Mitigation Monitoring and Reporting Program, as Attachment 4 to the report, for the project
- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$10,514,165 to Hagensen Pacific Construction, Inc.
- Authorize the City Manager to execute the contract when all necessary conditions have been met
- Approve a 15% construction contingency in the amount of \$1,577,125

**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.

<a href="#">19-0801</a>	Tentative Council Meeting Agenda Calendar
<a href="#">19-0811</a>	Board/Commission Meeting Minutes
<a href="#">19-0818</a>	Information/Action Items
<a href="#">19-1186</a>	Notice of Public Works Director's Decision on Final Maps (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](http://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 <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 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.*