



City of Sunnyvale

Notice and Agenda City Council

Tuesday, October 13, 2020

5:00 PM

Telepresence Meeting: City Web Stream |
Comcast Channel 15

**Special Meeting: Closed Session - 5 PM | Special Meeting: Study Session - 5:30 PM |
Regular Meeting - 7 PM | Regular Joint Meeting of the City Council and the Sunnyvale
Financing Authority - 7 PM (or as soon thereafter as the matter may be heard)**

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 Order N-29-20.

- *Watch the City Council meeting on television over Comcast Channel 15, 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 P.M. SPECIAL COUNCIL MEETING (Closed Session)**Call to Order****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

- A** [20-0882](#) Closed Session held pursuant to California Government Code Section 54956.9:
LEGAL COUNSEL-ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9.
Number of Potential Cases: 1

Adjourn Special Meeting**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).

- B** [20-0751](#) Public Safety Policies and Practices

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

CLOSED SESSION REPORT

SPECIAL ORDER OF THE DAY

- C [20-0744](#) SPECIAL ORDER OF THE DAY - Freedom From Workplace Bullies 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 [20-0682](#) Approve City Council Meeting Minutes of September 29, 2020

Recommendation: Approve the City Council Meeting Minutes of September 29, 2020 as submitted.

- 1.B [20-0720](#) Authorize Amending an Existing Contract with Fire & Risk Alliance, LLC for Temporary Personnel Services (F21-022)

Recommendation: Take the following actions:

- Authorize the City Manager to execute the Seventh Amendment to an existing contract with Fire & Risk Alliance, in substantially the same form as Attachment 1 to the report, increasing the not-to-exceed contract amount by \$175,000 for a new not-to-exceed contract amount of \$2,500,000 and extending the term of the Agreement until December 31, 2021; and
- Authorize the City Manager to amend the contract for up to two years, if operationally necessary, subject to available budget, provided pricing and service remain acceptable to the City.

- 1.C [20-0818](#) Authorize Amending an Existing Contract with CDM Smith for Program Management and Related Services for the Sunnyvale Cleanwater Program (F21-028)

Recommendation: Take the following actions:

- Approve the Fourth Amendment to Consultant Services Agreement with CDM Smith, in substantially the same form as Attachment 1 to the report, increasing the not-to-exceed amount by \$10,099,549 for a new not-to-exceed amount of \$31,402,588, and extending the term of the agreement for three years, through December 31, 2023;
- Authorize the City Manager to execute the Fourth Amendment when all necessary conditions have been met; and
- Approve an increase to the contract contingency in the amount of \$34,284 for a contingency total of \$833,086.

- 1.D [20-0797](#) Adopt the City's Investment Policy for Fiscal Year 2020/21 and Receive Annual Performance Report for Fiscal Year 2019/20

Recommendation: Adopt the City's Investment Policy for FY 2020/21 (Council Policy 7.1.2).

- 1.E [20-0598](#) Authorize the Issuance of Blanket Purchase Orders with Graniterock and West Coast Sand & Gravel for Aggregate Base Materials for the Departments of Public Works and Environmental Services (F20-134)

Recommendation: - Authorize the issuance of a one-year blanket purchase order to Graniterock in substantially the same form as Attachment 2 to the report, in an amount not-to-exceed \$425,000;
- Authorize the issuance of a one-year blanket purchase order to West Coast Sand & Gravel, Inc., in substantially the same form as Attachment 3 to the report, in an amount not-to-exceed \$158,000; and
- Authorize the City Manager to amend and renew the purchase orders for two additional one-year periods, subject to available budget, if pricing and service remain acceptable to the City

1.F [20-0810](#) 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).

ADJOURNMENT TO REGULAR JOINT MEETING OF THE CITY COUNCIL AND THE SUNNYVALE FINANCING AUTHORITY

CALL TO ORDER

Call to Order via teleconference

ROLL CALL

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.

2.A [20-0855](#) Approve the Joint City Council and Sunnyvale Financing Authority Meeting Minutes of June 23, 2020

Recommendation: Approve the Joint City Council and Sunnyvale Financing Authority Meeting Minutes of June 23, 2020 as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a Sunnyvale Financing Authority 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.

- 3 [20-0811](#) Adopt Resolutions to Authorize Issuance of Lease Revenue Bonds to Finance the Civic Center Phase I Project in an Amount not to exceed \$160 Million Including Financing and Closing Costs; Approve Financing Team, and Authorize the City Manager/Executive Director or the Finance Director/Treasurer to Execute all Related Documents

Recommendation: City Council:

1. Adopt Resolution to Authorize Issuance of Lease Revenue Bonds (the "Bonds") to Finance the Civic Center Phase I Project in an Amount not to exceed \$160 Million Including Financing and Closing Costs; Approve the Financing Team that implements the issuance of the Bonds, and Authorize the City Manager or the Finance Director to Execute all Documents related to, which include the Bond Purchase Agreement, the Preliminary Official Statement (and ultimately the Official Statement), the Continuing Disclosure Certificate, the Sunnyvale Lease, and the Sunnyvale Site Lease, the issuance of the Bonds and retaining the Financing Team.

Sunnyvale Financing Authority:

1. Adopt Resolution to Authorize Issuance of Lease Revenue Bonds (the "Bonds") to Finance the Civic Center Phase I Project in an amount not to exceed \$160 million Including Financing and Closing Costs and Authorize the Executive Director or the Treasurer to Execute all Documents related to, which include the Bond Purchase Agreement, the Assignment Agreement, the Indenture of Trust, the Sunnyvale Lease, and the Sunnyvale Site Lease, the issuance of the Bonds and retaining the Financing Team.

ADJOURN SUNNYVALE FINANCING AUTHORITY MEETING

RECONVENE TO CITY COUNCIL MEETING

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.

- 4 [20-0809](#) Consider Approval of Draft 2020 Housing Strategy and Implementation Schedule (Study Issue)

Recommendation: Alternative 1 and Alternative 4: 1) Approve the 2020 Housing Strategy (Attachment 2 to the report) and 4) Approve the Updated Implementation Schedule. (Attachment 3 to the report).

- 5 [20-0714](#) Receive and File the FY 2020/21 First Quarter Budget Update and Approval of Budget Modification No. 8 in the Amount of \$1,932,000 to Appropriate CARES Act Funding

Recommendation: Receive and file the FY 2020/21 First Quarter Budget Update and Approve Budget Modification No. 8 in the amount of \$1,932,000 to Appropriate CARES Act Funding.

- 6 [20-0808](#) Approve Participation in the Bay Area Air Quality Management District Spare the Air Cut the Commute Pledge

Recommendation: Alternative 1: Approve participation in the BAAQMD Cut the Commute Pledge with the aspirational goal to extend remote work options by at least 25 percent for employees whose work requirements allow for that flexibility to improve air quality and quality of life for all Bay Area residents. Implementation details of the remote work policy will be determined by the City Manager.

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.

- [20-0705](#) Tentative Council Meeting Agenda Calendar
- [20-0820](#) Board/Commission Meeting Minutes
- [20-0843](#) Information/Action Items
- [20-0873](#) Mayoral Announcement of Mayor-Appointed Ad Hoc Advisory Committee on City Manager Compensation (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.