



City of Sunnyvale

Notice and Agenda City Council

Tuesday, June 8, 2021

5:30 PM

Telepresence Meeting: City Web Stream |
AT&T Channel 99 | Comcast Channel 15

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

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

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&T Channel 99, 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)).

5:30 P.M. SPECIAL COUNCIL MEETING (Closed Session)

Call to Order

Call to Order via teleconference.

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** [21-0609](#) Closed Session Held Pursuant to California Government Code Section 54957.6:
CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representatives: Tina Murphy, Director of Human Resources; Kent Steffens, City Manager
- Employee organization: Service Employees International Union (SEIU)
- B** [21-0612](#) Closed Session held pursuant to Paragraph (1) of subdivision (d) of California Government Code Section 54956.9:
CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Name of case: San Francisco Baykeeper v. City of Sunnyvale
U.S. District Court, Northern Dist. of California Civil Case No.: 5:20-cv-00824-EJD

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 [21-0118](#) Ceremonial Oath of Office for Board and Commission Members
- D [21-0351](#) Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Pride Month

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 [21-0526](#) Approve City Council Meeting Minutes of May 20, 2021 (Budget Workshop)

Recommendation: Approve the City Council Meeting Minutes of May 20, 2021 as submitted.

- 1.B [21-0566](#) Approve City Council Meeting Minutes of May 25, 2021

Recommendation: Approve the City Council Meeting Minutes of May 25, 2021 as submitted.

- 1.C [21-0250](#) 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 [21-0564](#) Award of Contract to Radius Earthworks Inc. in the amount of \$433,699.56 for the John W. Christian Greenbelt Pathway Rehabilitation project and Finding of California Environmental Quality Act (CEQA) Categorical Exemption (PW21-33)

Recommendation: 1. Make a finding of categorical exemption from the California Environmental Quality Act pursuant to California Environmental Quality Act Guidelines Section 15301(c);
2. Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$433,699.56 to Radius Earthworks Inc. of San Jose;
3. Authorize the City Manager to execute the contract when all necessary conditions have been met; and
4. Approve a 10% Contingency in the amount of \$43,369.

- 1.E [21-0247](#) Authorize the Issuance of a Purchase Order to GraniteFuel LLC for a Biogas Dehydration System (F21-004)

Recommendation: Authorize the issuance of a purchase order to GraniteFuel LLC for one (1) Biogas Dehydration System in the amount of \$324,621.79, which includes staff training in the amount of \$5,000.00 and sales tax in an estimated amount of \$26,390.79.

- 1.F [21-0608](#) Modify a Purchase Agreement with Valley Oil for Unleaded and Diesel Fuel (F21-152)

Recommendation: Authorize the City Manager to amend the existing Purchase Agreement with Valley Oil for unleaded and diesel fuel, increasing the not-to-exceed amount by \$260,000 for a new total not-to-exceed amount of \$505,000.

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

CALL TO ORDER

Call to Order via Teleconference

ROLL CALL**PUBLIC COMMENT (ON SPECIAL MEETING ITEMS ONLY)**

The public may provide comments regarding the Special Meeting item(s). If you wish to address the City Council and Financing Authority, please refer to the notice at the beginning of this agenda.

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** [21-0570](#) Approve the Joint City Council and Sunnyvale Financing Authority Meeting Minutes of January 12, 2021

Recommendation: Approve the Joint City Council and Sunnyvale Financing Authority Meeting Minutes of January 12, 2021 as submitted.

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.

- 3** [21-0212](#) Annual City Council Public Hearing on FY 2021/22 Budget and Resource Allocation Plan and Establishment of Appropriations Limit and Sunnyvale Financing Authority Public Hearing on FY 2021/22 Budget

Recommendation: City Council:

Conduct a Public Hearing to obtain input from the public as required by City Charter Section 1303, the California Constitution, and the California Government Code. Council can also provide direction to staff on any issue requiring further review prior to the adoption of the FY 2021/22 Budget on June 15, 2021.

Sunnyvale Financing Authority:

Conduct a Public Hearing on the FY 2021/22 Budget. The Board can also provide direction to staff on any issue requiring further review prior to the adoption of the FY 2021/22 Budget on June 15, 2021.

ADJOURN SPECIAL 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 [21-0615](#) Annual Review of Proposed Fees and Charges for Fiscal Year 2021/22

Recommendation: Conduct a public hearing in order to solicit public input and provide direction to staff on any fee requiring further review prior to the June 15, 2021 Council meeting where the proposed schedule will be considered for adoption.

- 5 [21-0618](#) CONTINUED FROM MAY 25, 2021
Accept the Findings of a Post-Construction Report and to Retain the Existing Configuration of the Maude Avenue Class II Bike Lanes between Borregas Avenue and Fair Oaks Avenue

Recommendation: Alternative 1: Accept the findings of a Post-Construction Report, to retain the existing configuration of the Maude Avenue Class II Bike Lanes between Borregas Avenue and Fair Oaks Avenue and to implement Class IIB Buffered Bike Lanes on Maude Avenue between Borregas Avenue and Fair Oaks Avenue per the proposed improvements in the Active Transportation Plan as part of the 2022 slurry seal project.

- 6 [21-0396](#) Authorize the City Manager to Execute an Increase to the Existing Construction Contract Contingency Amount with Robert A. Bothman Construction for Fair Oaks Park Renovation and Enhancement and Magical Bridge Playground, Approve Budget Modification No. 26 in the Amount of \$1,044,500 for the Unhoused Program and additional All-Inclusive Playground Grant funding, Authorize the City Manager to Execute Second Amendment to the Occupancy Agreement with the Travel Inn and the Second Amendment to the HomeFirst Services Agreements, Fair Oaks Park Unhoused Program Update, and Evaluation of Wi-Fi Installation

Recommendation: Alternative 1. Approve Budget Modification No. 26 in the Amount of \$1,044,500 for the Unhoused Program and additional All-Inclusive Playground Grant funding, Authorize the City Manager to execute an increase to the contingency amount for Robert A. Bothman Construction in an amount of \$500,000, increasing the construction contingency from \$1,630,000 to \$2,130,000, and Authorize the City Manager to Execute Second Amendment to the Occupancy Agreement with the Travel Inn and the Second Amendment to the HomeFirst Services Agreement in Substantial Form to Attachments 4 and 7.

- 7 [21-0630](#) Consider Approval of Draft Substantial Amendment to the 2020 Housing and Urban Development (HUD) Action Plan

Recommendation: Alternative 1: Approve the Substantial Amendment to the 2020 Action Plan as shown in Attachment 3 of the staff report.

- 8 [21-0617](#) Proposed Project: Related actions:
LAKESIDE SPECIFIC PLAN AMENDMENT: Adopt a Resolution to Amend the Lakeside Specific Plan to allow

modification of the timing of development for the required hotel.

SPECIAL DEVELOPMENT PERMIT (SDP): Modify SDP 2015-7576 Condition of Approval GC-11 related to the timing of hotel construction.

POST ENTITLEMENT DEVELOPMENT AGREEMENT
Introduce an Ordinance Approving and Adopting a: Post Entitlement Development Agreement between the City of Sunnyvale and Sunnyvale Partners Ltd. including consideration of community benefits

Location: 1250 Lakeside (APNs: 216-43-037, -038, -039 and -040)

File #: 2021-7341

Zoning: Lakeside Specific Plan

Applicant / Owner: Sunnyvale Partners LTD (owner)

Environmental Review: Addendum to the Supplemental Environmental Impact Report

Project Planner: Trudi Ryan, (408) 730-7444,
tryan@sunnyvale.ca.gov

Recommendation: Alternative 1: Acknowledge the Planning Commission's Determination required by Resolution No. 371-81 (Attachment 8 to the Report); and, Alternative 2: Accept the Addendum to the previously certified Supplemental Environmental Impact Report Pursuant to the California Environmental Quality Act Guidelines Section 15164 and Adopt a Resolution to amend the Lakeside Specific Plan (Attachment 4 to the Report); Approve a modification to a condition of approval for Special Development Permit 2015-7576 (Attachment 5 to the Report); and Introduce an Ordinance for a Post Entitlement Development Agreement between the City and Sunnyvale Partners. LTD (Attachment 6 to the Report).

9 [21-0543](#)

CONTINUED FROM MAY 25, 2021

Appoint Applicants to the Arts Commission, Bicycle and Pedestrian Advisory Commission, Board of Building Code Appeals, Board of Library Trustees, Heritage Preservation Commission, Housing and Human Services Commission, Parks and Recreation Commission, Planning Commission and Sustainability Commission

Recommendation: Alternatives 1 and 3:

- 1) Appoint commissioners to the Board of Building Code Appeals with terms to realign appointments to the requirement of Charter Section 1002; and
- 3) Appoint commissioners to the Parks and Recreation Commission with terms to realign appointments to the requirement of Charter Section 1002.

Staff makes no recommendation regarding terms on the Housing and Human Services Commission.

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.

21-0567	Tentative Council Meeting Agenda Calendar
21-0568	Board/Commission Meeting Minutes
21-0569	Information/Action Items

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.