



City of Sunnyvale

Notice and Agenda City Council

Tuesday, December 7, 2021

4:30 PM

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

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

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

Special Teleconference Notice

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 Government Code Subdivision 54953(e) and Resolution 1089-21 (reaffirmed November 16, 2021).

Public Participation

- *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

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)).

4:30 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** [21-1034](#) CONFERENCE WITH LEGAL COUNSEL-PENDING
LITIGATION
Closed Session held pursuant to California Government Code
Section 54956.9(d)(1):
Name of Case: Michael Lecy v. City of Sunnyvale (Workers
Compensation Appeal Board Case No. ADJ12038967)
- B** [21-1035](#) CONFERENCE WITH LEGAL COUNSEL-PENDING
LITIGATION
Closed Session held pursuant to California Government Code
Section 54956.9(d)(1):
Name of Case: Hershel Golden v. City of Sunnyvale (Workers
Compensation Appeal Board Case Nos. ADJ8653640,
ADJ8653654, ADJ8972921)
- C** [21-1036](#) CONFERENCE WITH LEGAL COUNSEL-PENDING
LITIGATION
Closed Session held pursuant to California Government Code
Section 54956.9(d)(1):
Name of Case: Timothy Murray v. City of Sunnyvale (Workers
Compensation Appeal Board Case Nos. ADJ1154917,
ADJ12619319, ADJ3687599, ADJ1384813, ADJ3117118,
ADJ3291305, ADJ4073235, ADJ1126778, ADJ3258053)

- D** [21-1017](#) Closed Session Held Pursuant to California Government Code Section 54957.6:
CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representatives: Ad Hoc Committee on City Manager Compensation Members Larry Klein, Gustav Larsson and Alysa Cisneros
Unrepresented employee: City Manager

Adjourn Special Meeting

6 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). If you wish to address the Council, please refer to the notice at the beginning of this agenda.

- E** [21-0186](#) Discussion of Upcoming Selection of Vice Mayor

- F** [21-0606](#) Discussion of 2022 Council Intergovernmental Assignments

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**

G [21-0174](#) Ceremonial Oath of Office for Commission Member

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 [21-0914](#) Approve the Joint City Council and Santa Clara Valley Water District Board of Directors Meeting Minutes of October 6, 2021

Recommendation: Approve the Joint City Council and Santa Clara Valley Water District Board of Directors Meeting Minutes of October 6, 2021 as submitted.

1.B [21-1108](#) Approve City Council Meeting Minutes of November 22, 2021

Recommendation: Approve the City Council Meeting Minutes of November 22, 2021 as submitted.

1.C [21-0205](#) Approve City Council Meeting Minutes of November 30, 2021

Recommendation: Approve the City Council Meeting Minutes of November 30, 2021 as submitted.

1.D [21-0263](#) 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.E [21-0984](#) Authorize the Issuance of a Contract Purchase Agreement with Dell Marketing L.P. for Computer Equipment (F22-039)

Recommendation: Take the following actions:

- Authorize the issuance of a contract purchase agreement utilizing the terms included as Attachment 1 to the report to Dell Marketing L.P. in the amount up to \$800,000 through December 31, 2022; and
- Authorize to the City Manager to renew the contract purchase agreement for up to four (4) additional one-year periods, not-to-exceed annual budgeted amounts, subject to the continuation of the NASPO ValuePoint Agreement.

- 1.F [21-1105](#) Adopt a Resolution Amending the City's Salary Resolution and Schedule of Pay to (1) Update Pay Rates for Casual/Temporary Classifications to Reflect the January 1, 2022 Sunnyvale Minimum Wage of \$17.10 per hour, and (2) Increase the Councilmember and Mayor Stipend Amounts Pursuant to City Charter Section 605

Recommendation: Adopt a Resolution Amending the City's Salary Resolution and Schedule of Pay to (1) Update Pay Rates for Casual/Temporary Classifications to Reflect the January 1, 2022 Sunnyvale Minimum Wage of \$17.10 per hour, and (2) Increase the Councilmember and Mayor Stipend Amounts Pursuant to City Charter Section 605.

- 1.G [21-1106](#) Adopt a Resolution to Amend the Classification Plan and the City's Salary Resolution to Add the Classification of Assistant Recreation Services Coordinator and Update the Schedule of Pay

Recommendation: Adopt a Resolution Amending the Classification Plan and the City's Salary Resolution to Add the Classification of Assistant Recreation Services Coordinator and Update the Schedule of Pay Effective December 12, 2021.

- 1.H [21-1057](#) Ratify Councilmember Russ Melton's Appointment to The League of California Cities Revenue and Taxation Policy Committee for 2022

Recommendation: Staff makes no recommendation.

By approval of the consent calendar, Council ratifies Councilmember Russ Melton's Appointment to the League of California Cities Revenue and Taxation Policy Committee for 2022.

- 1.I [21-1065](#) Appoint Julie Lind and Michelle Nemits to the NOVA Workforce Board

Recommendation: Appoint Julie Lind and Michelle Nemits to the NOVA Workforce Board.

- 1.J [21-1136](#) Adopt Ordinance No. 3185-21 to Amend Chapter 1.04 (General Penalty) of Title 1 of the Sunnyvale Municipal Code to Add Section 1.04.080 (Attorney's Fees and Costs for Abatement of Public Nuisances)

Recommendation: Adopt Ordinance No. 3185-21 to amend Chapter 1.04 (General Penalty) of Title 1 of the Sunnyvale Municipal Code to add Section 1.04.080 (Attorney's Fees and Costs for Abatement of Public Nuisances)

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 [21-1016](#) Amend Resolution No. 1075-21 Directing the City Manager to Temporarily Allow Outdoor Dining on Private Parking Lots and Close the 100 Block of South Murphy Avenue until September 30, 2022

Recommendation: Alternative 1: Amend Resolution No. 1075-21 Directing the City Manager to Temporarily Allow Outdoor Dining on Private Parking Lots and Close the 100 Block of South Murphy Avenue until September 30, 2022.

- 3 [21-1005](#) Award a Contract to All City Management Services Inc. for Crossing Guard Services (F21-150) and Approve Budget Modification No. 10 in the Amount of \$92,375

Recommendation: Alternative 1: Award a contract in substantially the same form as Attachment 1 to the report in the amount not to exceed \$846,372 to All Cities Management Services, Inc. to provide Crossing Guard Services, Approve Budget Modification No. 10 in the amount of \$92,375, and authorize the City Manager to amend and renew the contract for four additional one-year terms, subject to available budget, if pricing and service remain acceptable to the City.

- 4 [21-0973](#) Accept LinkedIn's Donation of Voluntary Bicycle and Pedestrian Facility Improvements on Maude Avenue between Sunnyvale/Mountain View City Limits and Approximately 400 feet West of North Mathilda Avenue with an Estimated Construction Cost of \$1,180,000 and Finding of an Exemption from the California Environmental Quality Act

Recommendation: Alternative 1: Accept LinkedIn's Donation of Voluntary Bicycle and Pedestrian Facility Improvements on Maude Avenue between Sunnyvale/Mountain View City Limits and Approximately 400 Feet West of North Mathilda Avenue with an Estimated Construction Costs of \$1,180,000 and Finding of Exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (c) for existing streets, sidewalks, bicycle lanes and facilities involving negligible or no expansion and that does not create additional automobile lanes.

- 5 [21-0577](#) Introduce an Ordinance to Add Chapter 10.62 of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code Relating to Exhibitions and Speed Contests, Amend Section 1.04.101(b) of Chapter 1.04 (General Penalty) Relating to Violation-Misdemeanor or Infraction, and Adopt a Resolution to Amend the City Fee Schedule

Recommendation: Alternative 1: Introduce an Ordinance of the City Council of the City of Sunnyvale to Add Chapter 10.62 of Title 10 (Vehicles and Traffic) and Amend Section 1.04.010(b) of the Sunnyvale Municipal Code Relating to Exhibitions and Speed Contests and Adopt a Resolution to Amend the City Fee Schedule.

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.

[21-0716](#) Tentative Council Meeting Agenda Calendar

[21-0859](#) Board/Commission Meeting Minutes

[21-0895](#) 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.

Upcoming Meetings

Visit <https://sunnyvaleca.legistar.com> for upcoming Council, board and commission meeting information.