



City of Sunnyvale

Excerpt Meeting Minutes - Draft City Council

Tuesday, December 14, 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**

CALL TO ORDER

Pursuant to Government Code Subdivision 54953(e), the meeting was conducted telephonically; pursuant to state law, the City Council made the necessary findings by adopting Resolution No. 1089-21, reaffirmed on November 16, 2021.

Mayor Klein called the meeting to order at 7:02 p.m. via teleconference.

ROLL CALL

Present: 6 - Mayor Larry Klein
Vice Mayor Glenn Hendricks
Councilmember Gustav Larsson
Councilmember Russ Melton
Councilmember Alysa Cisneros
Councilmember Omar Din

CONSENT CALENDAR

Vice Mayor Hendricks requested Item 1.A be pulled from the Consent Calendar.

MOTION: Vice Mayor Hendricks moved and Councilmember Melton seconded the motion to approve agenda items 1.B through 1.I.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
Vice Mayor Hendricks
Councilmember Larsson
Councilmember Melton
Councilmember Cisneros
Councilmember Din

No: 0

1.A [21-0264](#) Approve the List(s) of Claims and Bills Approved for Payment
by the City Manager

Public Comment opened at 7:16 p.m.

No speakers.

Public Comment closed at 7:16 p.m.

MOTION: Vice Mayor Hendricks moved and Councilmember Melton seconded the motion to approve the list(s) of claims and bills.

The motion carried with the following vote:

Yes: 6 - Mayor Klein
 Vice Mayor Hendricks
 Councilmember Larsson
 Councilmember Melton
 Councilmember Cisneros
 Councilmember Din

No: 0

1.B [21-0992](#) Receive and File the FY 2020/21 Annual Status Report on
Receipt and Use of Development Impact Fees and Adopt a
Resolution Approving Findings Regarding Unspent Impact
Fees and Find that the Action is Exempt from the California
Environmental Quality Act

Receive and file FY 2020/21 Annual Status Report on receipt and use of development impact fees, adopt a Resolution making findings regarding unspent impact fees as required by the Mitigation Fee Act (California Government Code Section 66000 et seq.) and find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines.

1.C [21-1032](#) Adopt a Resolution to Authorize Filing of Application for State
Specified Grant Program Funds for Evelyn Avenue Multi-Use
Trail Project

Adopt a Resolution approving application(s) for specified grant program funds for Evelyn Avenue Multi-Use Trail Project.

1.D [21-1014](#) Award of Contract to Pacific States Environmental Contractors,
Inc for Water Pollution Control Plant Oxidation Pond Levee

Maintenance, Finding of California Environmental Quality Act (CEQA) Categorical Exemption and Determination of Bidder Non-Responsiveness (F21-084)

Take the following actions:

- Make a determination that the bid received from Guerra Construction Group is non-responsive;
- Make a finding of a categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301;
- Award a contract in substantially the same form as Attachment 2 to the report in in the amount \$2,949,399.30 to Pacific States Environmental Contractors, Inc. for the Water Pollution Control Plant Oxidation Pond Levee Maintenance;
- Approve a 10% contingency in the amount of \$294,940; and
- Authorize the City Manager to execute the contract when all necessary conditions have been met.

- 1.E** [21-1033](#) Award of Contract to W. Bradley Electric, Inc. for Pedestrian Improvements on Various Locations 2021 and Finding of California Environmental Quality Act (CEQA) Categorical Exemption (PW21-40)

Take the following actions:

- Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$583,720 to W. Bradley Electric, Inc. of Novato;
- Make a finding of categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c);
- Authorize the City Manager to execute the contract when all necessary conditions have been met; and
- Approve a 10% contingency in the amount of \$58,372.

- 1.F** [21-1125](#) Authorize the City Attorney to Execute the Participation Agreements to Opt Into the Proposed National Opioid Settlement as a Non-Litigating Entity Involving Opioid Pharmaceutical Distributors McKesson, Cardinal Health, and Amerisource Bergen and Manufacturer Janssen

Authorize the City Attorney to sign the participation agreements, in substantially the same form as in Attachments 1 and 2 to the report, on behalf of the City of Sunnyvale to opt into the National Opioid Settlement as a non-litigating entity.

- 1.G** [21-1022](#) Adopt a Resolution Extending the City's Declaration of Local Emergency for COVID-19

Adopt a Resolution extending the City Manager/Director of Emergency Services' Proclamation of Existence of a Local Emergency (COVID-19).

- 1.H** [21-1112](#) Reconsider and Affirm Resolution No. 1089-21; and Make Findings Pursuant to Government Code Section 54953(e) (AB 361) to Continue Virtual Public Meetings for the City Council and Boards, Commissions and Council Subcommittees During the COVID-19 State of Emergency

Affirm Resolution 1088-21; and make findings pursuant to Government Code Section 54953(e) (AB 361) to continue virtual public meetings for the City Council and Boards, Commissions and Council Subcommittees during the COVID-19 State of Emergency:

1. The City Council hereby finds that the state of emergency conditions related to COVID-19, as set forth in Resolution No. 1088-21 adopted on October 26, 2021 and incorporated herein by reference, are on-going;
2. The City Council finds that there is a need to continue teleconferencing for public meetings without posting the teleconferencing locations on the agenda and without requiring the teleconference locations to be accessible to the public during the current Governor-proclaimed COVID-19 state of emergency; and
3. The City Council finds that the state of emergency continues to directly impact the ability of members of the City Council, Council Standing Committees, and City Boards and Commissions to meet safely in person.

- 1.I** [21-1151](#) Adopt Ordinance No. 3186-21 to Add Chapter 10.62 (Exhibition of Speed and Contests) to Title 10 (Vehicles and Traffic) and Amend Section 1.04.010(B) of the Sunnyvale Municipal Code relating to Exhibitions and Speed Contests

Adopt Ordinance No. 3186-21 to add Chapter 10.62 (Exhibition of Speed and Contests) to Title 10 (Vehicles and Traffic) and amend Section 1.04.010(B) of the Sunnyvale Municipal Code relating to Exhibitions and Speed Contests.

ADJOURNMENT

Mayor Klein adjourned the meeting at 10:28 p.m.