



# City of Sunnyvale

## Notice and Agenda - Revised City Council

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Tuesday, September 12, 2023

6:00 PM

Online and Bay Conference Room  
(Room 145), City Hall,  
456 W. Olive Ave.,  
Sunnyvale, CA 94086

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

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

### Public Participation

- *In-person participation: You may provide public comment by filling out a speaker card (optional) and giving it to the City Clerk.*
- *Online participation: You may provide audio public comment by connecting to the 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  
(\*9 to request to speak | \*6 to unmute/mute)*

- *Watch the City Council meeting at <http://youtube.com/SunnyvaleMeetings> or on television over Comcast Channel 15, AT&T Channel 99*
- *Submit written comments to the City Council no later than 4 hours prior to the meeting start to [council@sunnyvale.ca.gov](mailto:council@sunnyvale.ca.gov) or by mail to: City Clerk, 456 W. Olive Ave., Sunnyvale, CA 94086*
- *Review recordings of this meeting and past meetings at <https://sunnyvaleca.legistar.com/calendar.aspx> or <http://youtube.com/SunnyvaleMeetings>*

### 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](mailto:cityclerk@sunnyvale.ca.gov) (28*

CFR 35.160 (b) (1)).

### **6 P.M. SPECIAL COUNCIL MEETING (Closed Session)**

#### **Call to Order**

*Call to order in the Bay Conference Room - Room 145 (Open to the Public).*

#### **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**

*Convene to Closed Session in the Council Conference Room (Closed to the Public).*

- A**      [23-0858](#)      CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION Pursuant to Government Code Section 54954.5: Significant Exposure to Litigation Under Government Code Section 54956.9(d)(2): A statement threatening litigation made by a person outside an open and public meeting related to a proposed project at 1154 and 1170 Sonora Court

#### **Adjourn Special Meeting**

### **7 P.M. COUNCIL MEETING**

#### **CALL TO ORDER**

*Call to Order in the Bay Conference Room (Room 145)*

#### **SALUTE TO THE FLAG**

#### **ROLL CALL**

#### **CLOSED SESSION REPORT**

#### **SPECIAL ORDER OF THE DAY**

- B**      [23-0381](#)      Hispanic Heritage Month
- C**      [23-0380](#)      Workforce Development Month

- D     [23-0075](#)     Ceremonial Oath of Office for Board and Commission Members

### **PRESENTATION**

- E     [23-0057](#)     2023 Silicon Valley Clean Energy (SVCE) Electric Showcase Awards by SVCE Chief Executive Officer Girish Balachandran

### **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    [23-0049](#)     Approve City Council Meeting Minutes of August 8, 2023

**Recommendation:** Approve the City Council Meeting Minutes of August 8, 2023 as submitted.

- 1.B    [23-0242](#)     Approve City Council Meeting Minutes of August 15, 2023  
(Board and Commission Interviews)

**Recommendation:** Approve the City Council Meeting Minutes of August 15, 2023 as submitted.

- 1.C    [23-0783](#)     Approve City Council Meeting Minutes of August 29, 2023

**Recommendation:** Approve the City Council Meeting Minutes of August 29, 2023 as submitted.

- 1.D    [23-0278](#)     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    [23-0782](#)     Approve Budget Modification No. 3 to Appropriate \$217,816 of

CalRecycle SB1383 Local Assistance Grant Program Funds  
to Project 830910 - Zero Waste Strategic Plan

**Recommendation:** Approve Budget Modification No. 3 to Appropriate \$217,816 of  
CalRecycle SB1383 Local Assistance Grant Program Funds  
to Project 830910 - Zero Waste Strategic Plan.

- 1.F    [23-0183](#)    Receive and File the City of Sunnyvale Investment Report  
-Second Quarter 2023

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

- 1.G    [23-0640](#)    Receive a Report of an Emergency Repair Project to  
Reconstruct a Damaged Stormwater Outfall and Restore the  
Embankment of Stevens Creek at Mockingbird Lane. The  
Project is Urgent to Ensure Public Safety and the Operation of  
the Storm Drainage System (Policy SN-1.3).

**Recommendation:** Receive a Report of an Emergency Repair Project to  
reconstruct a damaged stormwater outfall and restore the  
embankment of Stevens Creek at Mockingbird Lane. The  
project is urgent to ensure public safety and the operation of  
the storm drainage system.

## **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        [23-0794](#)        Award of a contract to Group 4 Architecture, Research +  
Planning, Inc. for the Civic Center Phase 2 Planning - Main  
Library in the amount of \$976,342.50 and approve Budget  
Modification No. 5 in the amount of \$431,929.47 (F23-130) to  
fund the contract and ongoing staffing support

**Recommendation:** Alternative 1 - Take the following actions:

- Award a contract to Group 4 Architecture, Research + Planning, Inc. for Civic Center Phase 2 Planning - Main Library in substantially the same form as Attachment 1 to the report in an amount not-to-exceed \$992,342.50;
- Authorize the City Manager to execute the contract when all the necessary conditions have been met;
- Approve a 10% contingency in the amount of \$99,234; and
- Approve Budget Modification No.5 in the amount of \$431,929.47.

- 3      [23-0780](#)      Introduce an Ordinance Repealing Chapter 16.62 (Prevention of Flood Damage), Adopting Chapter 16.62 (Floodplain Management) of Title 16 (Buildings and Construction), Amending Section 1.04.010 (Violation-Misdemeanor or infraction) of Chapter 1.04 (General Penalty) of Title 1 (General Provisions) of the Sunnyvale Municipal Code, and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to Public Resources Code Section 21080(b)(1) and CEQA Guidelines Sections 15061(b)(3), 15268, and 15308

**Recommendation:** Alternative 1: Introduce an Ordinance Repealing Chapter 16.62 (Prevention of Flood Damage), Adopting Chapter 16.62 (Floodplain Management) of Title 16 (Buildings and Construction), Amending Section 1.04.010 (Violation-Misdemeanor or infraction) of Chapter 1.04 (General Penalty) of Title 1 (General Provisions) of the Sunnyvale Municipal Code, and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to Public Resources Code Section 21080(b)(1) and CEQA Guidelines Sections 15061(b)(3), 15268, and 15308.

**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="#">23-0808</a> | Tentative Council Meeting Agenda Calendar  |
| <a href="#">23-0809</a> | Board/Commission Meeting Minutes   |
| <a href="#">23-0810</a> | Information/Action Items   |
| <a href="#">23-0887</a> | Mayor-Appointed Ad Hoc Advisory Committee on Potential HomeKey Application - Notice of Completion (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 NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue, during normal business hours, 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 on the fourth floor of City Hall at 456 W. Olive Avenue, during normal business hours and in the Bay Conference Room (Room 145) 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.*

## **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.*